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John M. Finnis

Notre Dame Law School, john.m.finnis.1@nd.edu

Patrick Martin

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Author(s): Patrick Martin and John Finnis

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The Secret Sharers: “Anthony Rivers” and the Appellant Controversy, 1601–2

Patrick Martin and John Finnis

THE APPELLANT (OR ARCHPRIEST) controversy of 1598 to 1602 was religious, political, and international. A small group of secular Catholic priests, many of them imprisoned at Wisbech Castle, allied themselves against both George Blackwell, appointed archpriest under papal authority in 1598, and the English Jesuits. The queen's government and church intervened to support these dissident priests, who by virtue of their appeals to Rome became known as the Appellants. The French government, too, saw gains to be made by adding their weight to the Appellants' cause. A succinct contemporary statement of the origins of the Appellant controversy and the personal involvement of the queen, Secretary Cecil, and Bishop Bancroft of London was given by “Anthony Rivers” in July 1602:¹

All these stirres have had original from Wisbech, and the Queen herself is said to have been the first motive of this division, remembering how Walsingham thought to have set a faction amongst the Cardinals, and afterwards to have nourished the like in the Seminaries. She, finding now fit matter to work upon at home, thought it good policy to set it forward, and so advised Mr Secretary [Robert Cecil] and he posted it over to my Lord [Bishop] of London, who hath no less bestired him in this, than he did in Cambridge with his quarter staff, when any broiles were on foot.

That these highest levels of late Elizabethan government were penetrated by a clandestine pro-Jesuit intelligence apparatus was glancingly noticed by Thomas Law in a history of the efforts by the dissident priests and laymen to secure the withdrawal

1. Rivers [Sterrell] to Ridolfo Perino [Persons], 28 July 1602 (Westminster Archdiocesan Archive, vii, no. 54,269); hereafter “West.” The letters of “Anthony Rivers” have been studied by historians mainly in the extracts, not fully reliable, in Henry Foley, *Records of the English Province of the Society of Jesus*, vol. 1 (London, 1877), 1–62. The originals of twenty-five from the series are in the Westminster Diocesan Archive; seventeenth-century excerpts from several dozen others are in *Collectanea*, which in the twentieth century were in Stonyhurst College, Lancashire, and the Archives of the Society of Jesus in Rome; the relevant “Stonyhurst” manuscripts are now held in the Jesuit archive in Mount St., London.

of all Jesuits from England. Law surmised that the English Jesuit leader, Father Robert Persons, operating in Rome “as a skilful general” to frustrate the dissident priests’ third and final appeal to the pope, arranged in 1602 that “certain of his despatches should go through the enemy’s [Cecil’s and Elizabeth’s] hands,” despatches Persons “must have known to be false.”² The evidence, Law said, was before him “*in Parsons’ own handwriting*.”³ Law noted that these Roman letters came “perhaps designedly into the hands of the government” and even linked them cryptically to the letters of “Father Rivers.”⁴ But Law did not explain how this design could have been accomplished, and there the matter seems to have rested since 1889.⁵ Law did not see that “Rivers” was central to an intelligence apparatus well practiced in carrying out such designs in the English court.

The letters of “Anthony Rivers” do indeed contain much that bears on the climax of the Appellant controversy. But the most important fact about them is their authorship. There was no Jesuit priest named, even pseudonymously, Anthony Rivers. Rather, this was a pseudonym (among many) of William Sterrell,⁶ a layman who left his Oxford career as a philosopher to become secretary to the fourth Earl of Worcester.⁷ In this correspondence, and in related intelligence activities, Sterrell worked very closely with Thomas Phelippes, universally known as the Decipherer, and employed the letter delivery system created and used by the superior (resident leader)

2. Thomas Graves Law, *A Historical Sketch of the Conflicts between Jesuits and Seculars in the Reign of Queen Elizabeth* (London, 1889), cviii. Note that throughout our article, unless signified as new style (n.s.), all dates are old style; spelling has been modernized and, for the most part, regularized; and punctuation has been lightly adjusted to modern conventions, except where that seems unsafely interpretative.

3. “Thomas Phelippes, the spy and decipherer of Cecil, thought it well to supply his master with the views of the other side, and at regular intervals for six months he forwarded to him letters or abstracts of letters which he had, with unusual facility, intercepted. . . . They all proceed from the same hand, and two of the series were printed many years ago by [M.A.] Tierney from rough drafts, *in Parsons’ own handwriting*, now preserved at Stonyhurst college.” Law, *Jesuits and Seculars*, cvii–viii (emphasis in original); for Tierney, see n. 16 below.

4. Thomas Graves Law, *The Archpriest Controversy*, vol. 2, Camden Society, n.s., no. 58 (London, 1898), 88, note a.

5. In a study of Richard Bancroft’s ecclesiastical policies, *The Reconstruction of the English Church*, 2 vols. (New York and London, 1910), Roland G. Usher noted, with irony: “To keep Bancroft in good heart, he [Persons] penned a series of letters, ostensibly to his Jesuit friends in England but really meant for the Bishop’s eyes” (1:177). As will be seen, the despatches were ostensibly neither from Persons nor to Jesuits and were meant more for Cecil than for Bancroft. Like Law, and earlier M. A. Tierney, Usher took a severe view of Persons’ honesty, ascribing to him a will to deceive the English government. But the practice to which these critics all point—of omitting from his reports of papal or curial decisions certain propositions or phrases adverse to his views or hopes—is found equally in Persons’ correspondence with his closest friends and allies, such as Father Henry Garnet. See, for example, his letter to Garnet, 19 October 1602, Stonyhurst MSS, Anglia iii, no. 24; Usher, *Reconstruction*, 1:182.

6. Patrick Martin and John Finnis, “The Identity of ‘Anthony Rivers,’” *Recusant History* 26 (2002): 39–74. Foley juxtaposed with the Rivers letters the despatches forwarded by Phelippes to Cecil, but did not link them (*Records*, 1:11–19); Foley assumed that the author of the despatches was an “agent” of Phelippes, in Rome. Law, Usher, and others discerned that this was not so but did not understand the link with “Rivers.”

7. Edward, fourth Somerset Earl of Worcester, was deputy or acting Master of the Horse from early 1598, Master of the Horse from April 1601, and a Privy Councillor from 29 June 1601. William Sterrell, born

of the Jesuits in England, Henry Garnet, SJ. This identification has opened the way for a more complete understanding of the extraordinary political dimensions of the Appellant controversy. In Sterrell (and Phelippes) the Jesuits had an influential agent with intelligence-gathering capability at the heart of the English government and, in particular, the man through whom Persons' dispatches could be passed to his opponents.

This unexplored aspect of the Appellant controversy's final phase is perhaps the most amply documented example of the working of Persons' long-standing intelligence apparatus in the court.⁸ For one continuous period of twelve months, most of the dispatches from Rivers to Persons survive in the originals, twenty-three letters in all.⁹ That period coincides with the departure from England, on government passports, of four Appellant secular Catholic priests (November 1601), their arrival in Rome to prosecute their appeal to the pope (February 1602), the consideration (March to July) and disposition (July to October) of that appeal, and the reaction of a partly disappointed, partly defiant and contemptuous English government (November 1602). The discovery that the Rivers letters, known to historians for over a century, are the work of a true insider in court affairs lends considerable new weight to the letters' disclosures about many matters of state, not least the strains within the government's handling of this politico-religious affair. It also sheds new light on a dramatic struggle between two notable religious leaders, Richard Bancroft, bishop of London, and Father Robert Persons, SJ, a struggle of significance for both the succession to the English crown and the Jesuit presence in England.

☞ The Controversy before 1601

For most of Elizabeth's reign, the Roman Catholic Church lacked formal organization within England. From the mid-1570s to his death in 1594, William Allen, the widely respected founder of the English colleges of Douai and Rome, was recognized as the real, albeit canonically informal, head of the English Catholics.¹⁰ The Appellant controversy grew in the vacuum left by his death, beginning with the Wisbech Stirs of 1595–98. The government was holding about three dozen priests at Wisbech Castle in

1561, demy of Magdalen College Oxford (1578–79, BA 1579, MA 1584, fellow 1579–86); lecturer in natural philosophy 1585 or 1586 to 24 March 1591, was in the service of Worcester from about 1590 (or earlier).

8. For the constituting of the apparatus at the outset of its final decade, see Patrick H. Martin and John Finnis, “Thomas Thorpe, ‘W.S.’ and the Catholic Intelligencers,” *English Literary Renaissance* 33 (2003): 1–43 at 20–29. For a brief indication of some of its feats of influence, see Martin and Finnis, “Identity of ‘Anthony Rivers,’” 62–63.

9. Probably less than half a dozen, and possibly only two or three, of the letters Sterrell wrote to Persons under the Rivers and associated pseudonyms during that twelve-month period are missing: letters of 21 January 1602 and 16 February 1603 are mentioned in the correspondence as having been written but are not now known, and there may be some gap(s) after 22 September, though there is internal evidence (especially in the Rivers letter of 17 November 1602) of some faltering in the flow during the last quarter of the year. The series of letters from Sterrell working as Rivers et al. extends from about 1597 to 1604, though examples from 1597 and 1598 have yet to be found.

10. J. H. Pollen felicitously characterized Allen's influence: “[Allen] is the intermediary for almost all faculties, but he governs from abroad, in a sort of paternal, happy-family way, without fixed subordination or law, or custom, practically with no other machinery than his own admirable personal influence”; *The Institution of the Archpriest Blackwell* (London, 1916), 2.

Cambridgeshire. When in 1595 the Jesuit William Weston sought to bring about a voluntary discipline among them, he was bitterly opposed by about a third of them, led by Fathers Thomas Bluet and Christopher Bagshaw. Bluet¹¹ and Bagshaw¹² maintained contacts with the anti-Jesuit factions in Europe and, after the collapse of an arbitrated settlement in November 1595, collaborated with dissident English Catholics in Flanders and Rome in preparing a memorandum for the pope on alleged Jesuit misdeeds in Flanders.

The Appellant, or archpriest, crisis erupted when in March 1598 George Blackwell was appointed to the newly invented office of archpriest. Rome was reluctant to appoint bishops for English sees, since non-resident bishops would expose the weakness of the church to the faithful, but it was equally troubling to contemplate bishops in England in disguise and subject to execution.¹³ Yet there needed to be a head and hierarchy for the some three hundred secular priests living clandestinely in England. So in March 1598, George Blackwell was curially appointed archpriest, by papal authority, to have jurisdiction over the secular priests trained at the seminaries in Europe. His letter of appointment by Cardinal Cajetan, protector for England and the English ecclesiastical establishments abroad, appealed for peace, concord, and union of hearts and minds, and expressed a fear that some Catholics might greet the appointment with *aemulatio*, jealous animosity, against the Jesuits. In a side letter, not public but soon known, the cardinal instructed the archpriest to act in consultation with Garnet, the Jesuit superior in England as noted above.¹⁴ The Jesuits had only about a dozen priests in England. But they were an elite group, well-disciplined and supported by patrons among the wealthy families of England. They had a superior system of communication within England and efficacious methods of sending and receiving letters and money overseas. Indeed, the letters appointing Blackwell were dispatched in a Jesuit packet to Garnet for delivery.¹⁵

The First Appeal (1598)

The archpriest's appointment was greeted with a full measure of *aemulatio* by some articulate and able secular priests. Claiming, implausibly but with some legalist arguments, that Cardinal Cajetan's document did not show sufficient evidence of papal

11. Bluet was an older man who had been a Calvinist minister but left the state church to study at Douai; he was ordained a Catholic priest and returned to England only to be arrested in 1578 and confined at Wisbech from 1580 to 1601; Godfrey Anstruther, *The Seminary Priests: A Dictionary of the Secular Clergy of England and Wales, 1558–1850, I Elizabethan, 1558–1603* (Ware and Durham, U.K., 1968), 42.

12. Bagshaw had been head of Gloucester Hall, Oxford, after being a bitter opponent of Persons within the fellowship at Balliol College, Oxford. He, too, left the state church and went to Douai. He was imprisoned in 1585 immediately upon return to England and proved to be a cooperative prisoner. Anstruther, *Seminary Priests*, 13–17; *Oxford DNB*.

13. In 1597 Persons sought the appointment of two bishops for the English, one to be resident in England and one in Flanders, but this found no favor with the pope; Pollen, *Institution*, 22–23.

14. Law, *Archpriest Controversy*, 2: xvii.

15. Pollen, *Institution*, 29. George Blackwell (1547–1613) was known to be close to the Jesuits. Like Persons, Blackwell was an Oxford scholar: a BA from Trinity College in 1563, a fellow in 1564, and an MA in 1567. Ejected from Trinity in 1571 for unsound religion, he embraced Catholicism and in 1574 entered

authorization, the dissidents sent two of their number to Rome, William Bishop and Robert Charnock, to lodge an appeal against the new arrangements as novel, inconvenient, inappropriate to English conditions, improperly influenced by Persons, and covertly designed to give the Jesuits in England unconscionable influence with the archpriest and thus over the secular priests and their finances.¹⁶ They brought a petition of some thirty priests opposed to Blackwell's appointment. Arriving in December 1598, they found the pope absent. After being confined and given only a limited hearing, they were sent away. The response to their appeal was papal confirmation that the appointment of Blackwell by the Cardinal Protector had the endorsement of the pope. The dissidents continued to oppose the archpriest and now took their complaints to the English government. In April 1599 William Watson presented the attorney general, Edward Coke, with a denunciation of the Jesuits.¹⁷ Father Watson revealed himself to be an easy instrument for government policy.

There was a period of reconciliation between the archpriest and most of the dissidents. In June 1599 Blackwell and other leading parties to the quarrels drew up a formal document, “The Atonement,” meaning “at-one-ment”—that is, reconciliation and (re)union.¹⁸ But this all broke down in protests against the treatment of Bishop and Charnock in Rome during the first appeal, the allegation (circulated by two impolitic English Jesuits with the archpriest's consent) that priests who had denied the archpriest's authority had been in schism, and Blackwell's suspension of the priestly functions of some of the dissidents.¹⁹

The Second Appeal (1600)

In November 1600 a written appeal to the Holy See against Blackwell's handling of such matters was signed by thirty-three priests.²⁰ This was forwarded to Rome by Blackwell himself, as requested by the Appellants, but before it was ruled upon the dissident priests resolved to begin further proceedings. At about this time, or within a very few months, the queen and Cecil made their first major intervention, and the

the English College at Douai. He was ordained in 1575 and in late 1576 was sent to England, where he was imprisoned for a time in 1578 but released by the influence of his brother, who worked for John Aylmer, bishop of London. Anstruther, *Seminary Priests*, 39–41; *Oxford DNB*.

16. See M. A. Tierney, *Dodd's Church History of England* (London, 1839–43; henceforward *Tierney-Dodd*), 3:49–50, cxxx–cxxx. Penelope Renold, in *The Wisbech Stirs*, Catholic Record Society, no. 51 (London, 1958), makes a case that this first appeal was really a pretext for an attempt, gestating before the archpriest's appointment, to gain control of the English Catholic mission (pp. 227–28). The principal actors in this concerted undertaking were Charles Paget and the Rev. Dr. William Gifford in Flanders, and Fathers Christopher Bagshaw, Thomas Bluet, John Mush, and John Colleton in England.

17. Thomas Graves Law, *The Archpriest Controversy*, vol. 1, Camden Society, n.s., no. 56 (London, 1896), 210–26.

18. Pollen, *Institution*, 46.

19. Blackwell formally approved a work written by Father Thomas Lister, SJ, the eleven-page *Treatise of Schism* (*Adversus Factiosos*), calling for excommunication of schismatics such as the Appellants. Pollen, *Institution*, 39–40; Law, *Archpriest Controversy*, 1:99; Law, *Jesuits and Seculars*, lxxxii–lxxxiii.

20. Law, *Jesuits and Seculars*, lxxxv; Pollen, *Institution*, 54–55; *Tierney-Dodd*, 3:53–55, cxxxiii–cxliv.

whole matter was “posted over to my Lord of London,”²¹ Richard Bancroft, someone experienced in delving into the operations of troublesome religious groups²² and already familiar with many details of the Wisbech Stirs.²³ An epistolary and pamphlet war followed, and Persons was the primary focus of the hostility of the dissident priests.

Sometime around the end of 1600, Bancroft secretly set out forty-five articles of inquiry, to which Bagshaw responded, first in brief answers in a paper for Bancroft, and then at book length in *A True Relation of the Faction begun at Wisbech*.²⁴ This able and persuasive but disorderly convert, leader of the dissenting secular priests in Wisbech (and a man “with a windmill in his head,” said one of the old priests there)²⁵ had for twenty-five years been a personal enemy of Persons. Associated with the English anti-Jesuits in France,²⁶ Bagshaw appears to have been collaborating with the English government by, at the latest, the autumn of 1598, when he was moved from Wisbech to the Tower for some months.²⁷ The information he seems likely to have

21. See text at n. 1 above.

22. Usher, in *Reconstruction*, gives an account of Bancroft’s manifold operations against Puritan sectaries (such as the Marprelate pamphleteers) from 1584 to 1593 (1:39–67).

23. Soon after Bancroft came to the see of London, one of the disruptive long-time detainees at Wisbech, Father Ralph Ithell, defected from Catholicism and went to live at Bancroft’s residence, becoming a minister in the state church around the beginning of 1598; Renold, *Wisbech Stirs*, 32, 318–19, 323–24.

24. See Law, *Archpriest Controversy*, 1:226–41 (forty-five articles of inquiry, with replies to them by Bagshaw, after November 1600 and before February 1601). *True Relation* emerged anonymously in London about September 1601; it was reprinted by Law as the bulk of his *Jesuits and Seculars*.

25. See Robert Persons, *A Brieve Apologie* (Antwerp, 1601), fol. 70r.

26. When he was captured on first landing as a missionary priest in May 1585, Bagshaw was carrying ciphers for corresponding with Charles Paget; Pollen, *Institution*, 32. Paget was a prime mover in the anti-Jesuit agitations in Paris in the 1580s, the English College Rome in 1596, and Flanders in 1597. In July 1599, Sterrell and Phelippes forwarded to Robert Cecil a purported “letter from a Catholic in Brussels to his friend, a monk at Liège,” retailing a long history of the untrustworthiness of Charles Paget, a man who from his earliest adulthood “hath evermore been tampering in broils and practices betwixt the bark and the tree, friend and friend, man and wife, and as his credit and craft increased, betwixt Prince and Prince”; “A letter from a Catholic in Brussels to his friend, a monk at Liège,” SP 12/271/74, 4 July 1599.

27. Bancroft’s dossier (see below in the text) includes (1) a memorandum by Bagshaw endorsed 19 October 1598 reporting the standard allegations against the Jesuits and naming nine of the twelve priests as assistants to the archpriest; (2) a paper by Bagshaw for William Waad, clerk of the Privy Council, detailing the objectives of the dissident seculars in the period immediately before the appointment of the archpriest, including the withdrawal of the Jesuits from England through the offices of the Jesuit cardinal Toledo in Rome; and (3) a statement by Bagshaw detailing complaints about the Jesuits and reasons for the then pending (first) appeal to Rome, which he indicates will be pursued notwithstanding “any sentence, judgment, or action to the contrary”; Law, *Archpriest Controversy*, 1:1, xvii, 205–10. Persons’ memorial submitted in April 1602 in the proceedings in Rome speaks “de manifesta conspiratione istorum hominum cum publice fidei hoste, quae sensim primo ac clandestine, exeunte anno 1598, tentata atque inita est.” The *Brieve Apologie* repeatedly asserts and insinuates Bagshaw’s involvement, though with scant detail; see fols. 69r, 169r (Bagshaw with the Council in or just before May 1599), and 207r (Bagshaw sent for from Wisbech to deal with the Council as soon as the failure of the first appeal in Rome seemed imminent, and ever afterward continuing his correspondence with the Council, to the prejudice of priests not in his faction; similar claim in paragraph 12 of the book’s preliminary epistle to

given the authorities would have contributed substantially to their growing awareness of the whole controversy, of the dissident seculars' far-reaching anti-Jesuit sentiments, and of the government's opportunity to ruin the missionary efforts and political hopes of English Catholics generally. Bancroft, then, “bestirred himself” to prepare the forty-five articles as the centerpiece of a dossier,²⁸ a strategy of active disruption, and a possible book. The articles outline the controversy chronologically, itemizing matters on which more evidence was needed. Bancroft's agenda emerges in the opening sentence: “It seems that the Jesuits about 27 or 28 years since began to resort into England, and employ themselves in English affairs.”²⁹ Bancroft's dossier reflects the government's decision in late 1600 or early 1601 to take an active, if not publicly acknowledged, part in a third appeal of the dissidents.

☛ The New (Third) Appeal: Its Aims, Sponsors, and Opponents

This third and more wide-ranging appeal to Rome had the covert backing of the queen and Privy Council, who in or about June 1601 interviewed one of the Wisbech priests (now moved to Framingham), Father Thomas Bluet. Bluet had by then been in close contact with Bancroft for some months, it seems. The Council directed that he and three other priests, including Bagshaw, be released and allowed to raise funds and to proceed to Rome to prosecute their appeal.³⁰ In August, while the priests were preparing for their journey, the pope issued his eirenic judgment on the second appeal, admonishing the archpriest at least as much as the dissident priests, and commanding that all charges of schism pertaining to the first appeal be silenced and dropped.³¹

His Holiness). Garnet wrote to Persons on 16 August 1600, describing what is evidently this collaboration (though Bagshaw is not named) as “more evident every day,” and saying that the keeper of the Tower “hath certain articles drawn by a workman [i.e., a priest] against our friends, and instructions how to procure their trouble,” and that the archpriest was afraid to use discipline against this for fear, Garnet seems to say, that this would result in (government) reprisals; Stonyhurst MSS, Coll[ectanea] P, fol. 553 (552v).

28. On the character and fate of this remarkable dossier, see Renold, *Wisbech Stirs*, xviii–xxii, noting that a rough draft of the articles in Bancroft's hand survives.

29. Law, *Archpriest Controversy*, 1:226. Bancroft here displays the common English Protestant habit of describing all missionary priests in England as Jesuits.

30. A passport for Mush and Barnaby was issued at the request of Bancroft, signed by Cecil and Mr. Secretary Herbert, dated 10 September 1601; *Acts of the Privy Council 1601*, 205. Bagshaw and Bluet were banished into France and Germany only, along with another seminary priest and a friar, by order of the whole Council dated 21 October 1601; *ibid.*, 299–300; also 316. For details about which priests were involved and where they went after leaving England, see letters of the papal nuncio in Flanders dated October 1601–January 1602 n.s., in Armand Louant, ed., *Correspondance d'Ottavio Mirto Frangipani* (Rome, 1942), 3:270, 275, 288–89, 291, 293–94.

31. Some have thought that this second papal ruling might well have headed off the third appeal, had not the archpriest withheld publishing it to the secular clergy until January 1602. But considering the specifically anti-Jesuit character of the third appeal, and its covert propulsion by the government, it seems unlikely that Blackwell's latest misjudgment made any such decisive difference. With some plausibility, the dissidents later argued that the archpriest kept the papal brief of 17 August 1601 secret, lest its prohibition of publications on the controversies prevent Persons' first book directed against the Appellants, the *Briefe Apologie*, from going into circulation (which it did in the first half of January 1602).

The Appellants who journeyed to Rome with English backing included John Cecil, Thomas Bluet, John Mush, and Anthony Champney. The dominant figure became Cecil, alias Snowden, a relative of Robert Cecil who had been an informer to the English government for at least a decade before this expedition.³²

Bishop Bancroft was not a Privy Councillor, but he was the Council's prime instrument in the execution of its policies, and probably a principal source of advice in that policy's formation. His leading role in exploiting the dissidents included giving them de facto liberty, housing, and many forms of assistance in the publication of their anti-Jesuit tracts, which began appearing in the spring of 1601. His aims were credibly described in retrospect by Sir Roger Wilbraham, a government attorney and Master of Requests, who wrote in his private journal that Bancroft told him of his role, one that had the backing of the queen's secretary and the Privy Council:³³

[I]t appears that the Bishop of London, on the advice of the Council, and, as he told me, especially the Secretary's [Cecil] advice, has worked to bring about discord between the Jesuits and secular priests, whereby they have written divers railing quodlibets and pamphlets against one another, so that the treacherous purpose of the Jesuits to depose the Queen as unlawful has appeared from their very writings.

Although most of the pamphlets purported to be published in Europe, modern scholars have confirmed Rivers' 1602 reports to Persons³⁴ that the books and pamphlets were printed in London by publishers favored by the government.³⁵

The Appellant controversy now pitted against each other two master controversialists and leaders: Bancroft, the state's energetically political bishop of London, and Persons, prefect of the English Jesuits, who for two decades had consorted with Spain's rulers and ambassadors to bring down the English government or reverse its anti-Catholic policies. Though he wrote sermons and provocative pamphlets himself,³⁶

32. Anstruther, *Seminary Priests*, 63–68; *Oxford DNB*. John Bossy explains how this turncoat priest made himself the “dominant figure in the group”; “Henri IV, the Appellants and the Jesuits,” *Recusant History* 8 (1965): 80–122 at 84.

33. Harold Spencer Scott, ed., *The Journal of Sir Roger Wilbraham*, Camden Misc., no. 10 (London, 1902), 52–53 (diary entry in or before February 1603).

34. See n. 122 below.

35. Lisa Ferraro Parmelee, “Printers, Patrons, Readers, and Spies: Importation of French Propaganda in Late Elizabethan England,” *Sixteenth Century Journal* 25 (1994): 853–72, 865; Gladys Jenkins, “The Archpriest Controversy and the Printers, 1601–1603,” *The Library*, 5th ser., 2 (1947): 180 ff. In 1604, William Jones, a Puritan printer, attacked Bishop Bancroft for promoting papist books; SP 14/8/22, [May] 1604. His allegations were essentially correct. Persons in Rome knew long before: in his *Briefve Apologie*, he wrote, “these books were printed in England by consent of the heretics, but yet in some secrecy for avoiding the knowledge of Catholics more than of the enemy. Nay, now it is further known how the matter of this printing hath passed under the protection of my Lord of London” (fol. 163v). Peter Milward lists the pamphlets produced by both sides, with bibliographic information, in *Religious Controversies of the Elizabethan Age: A Survey of Printed Sources* (Lincoln, Neb., 1977), 116–26.

36. R. Bancroft, *A sermon preached at Paules crosse the 9 of Februarie . . . by Richard Bancroft D. of Divinitie* (March 1589); R. Bancroft, *A Survey of the pretended Holy Discipline* (1593); R. Bancroft,

Bancroft excelled in sponsoring others' wits in religious frays. He was the leader of the state church's response to the Martin Marprelate tracts, the pseudonymous Puritan pamphlets attacking the bishops. A historian of the Marprelate controversy of 1588–89 comments that Bancroft “co-ordinated the work of governmental agencies, sponsored a pamphlet campaign against Martin, and employed university wits to reply to the Martinists in witty and sarcastic vein.”³⁷ Bancroft discovered who the secret printers were and solicited and underwrote the anti-Marprelate tracts of writers such as John Lyly, Thomas Nashe, and Gabriel Harvey.³⁸ In the polemics of 1597–1603 concerning witchcraft and exorcism, the official pamphleteers were sponsored by Bancroft, and some of them were his employees.³⁹ In later years Bancroft, as archbishop of Canterbury, would be chief organizer of the translation of the King James Bible.⁴⁰

In contrast to Bancroft, who was reluctant to appear in print, Persons was an astonishingly prolific writer. His limpid prose is a model of lucidity and persuasiveness. Though they could bait and provoke him, none of Bancroft's pamphleteers could approach Persons' skills. But to participate in the fervid polemics with Bancroft's Catholic protégés, Persons needed their works, and he needed information about their authorship and provenance and the circumstances surrounding their composition. And his aims included far more than winning a public debate. From the middle of 1601 until a week or two after the pope's dispositive brief of 5 October 1602, the aim of Persons' unrelenting work⁴¹ was to head off the threats to the position of the archpriest, his twelve secular assistant priests, and above all the Jesuits on the English mission. Throughout he was ably assisted and sustained by Sterrell in London.

Persons judged, surely rightly, that the Appellants were a grave threat to the English Jesuits' mission. He could not acquiesce in the charge made by the Appellants' pamphlets that the Jesuits were fomenters of rebellion and plots against the queen. There was a real possibility that the pope would end the English mission more completely than the queen and her Council ever could: by exercising his ecclesiastical

Dangerous Positions and Proceedings, published and practised within the Iland of Brytaine under pretence of Reformation (1593).

37. Leland H. Carlson, *Martin Marprelate, Gentleman* (San Marino, Calif., 1981), 59. See also Joseph Black, “The Rhetoric of Reaction: The Martin Marprelate Tracts (1588–89), Anti-Martinism, and the Uses of Print in Early Modern England,” *Sixteenth Century Journal* 28 (1997): 707–25 at 712: “Bancroft... is usually credited with the [pamphlet] strategy.”

38. Bancroft later banned the writings of Nashe and Harvey; similarly, he abandoned the Appellants.

39. Henry N. Paul, *The Royal Play of Macbeth* (New York, 1950), 96; F. W. Brownlow, *Shakespeare, Harsnett, and the Devils of Denham* (Newark, Del., and London, 1993), 68–70, 187–88. Bancroft's chaplain Samuel Harsnett is the attributed author of *Declaration of Egregious Popish Impostures* (mid-1603; famous as a source for *King Lear*), but Bancroft has been thought to have had an authorial hand; Paul, *Royal Play*, 92. On 16 September 1602, Rivers/Sterrell wrote, probably alluding to the *Declaration*: “The Bishop of London is very busy with three Chaplains, and as many scribes, in composing some new book against Jesuits”; West, vii, n. 60, 284).

40. Adam Nicolson, *God's Secretaries: The Making of the King James Bible* (New York, 2003), 65–83.

41. On 19 October he told Garnet that he felt he needed a year's repose; Persons to Garnet, 19 October 1602 n.s., in Francis Edwards, *Robert Persons: The Biography of an Elizabethan Jesuit 1546–1610* (St. Louis, 1995), 279.

authority to order them out of England. The Jesuits had been successfully expelled from France in 1595, and the papacy itself was open to French influence, and resistant to Spanish, to an extent unprecedented for generations. And just when French anti-Jesuit political agents had the ear of the papacy, strictly theological opponents of Jesuit teachings on divine grace and human freedom had taken their campaign for a condemnation of Jesuit theology deep into the papal curia. English clerical and lay critics of the little band of English Jesuits had good grounds for thinking that an opportune moment to petition Rome for their withdrawal had arrived. The pope's anxiety that Henri IV be persuaded to allow the Jesuits to return to France enhanced the possibility that the Appellants might be successful, and it was conceivable that the withdrawal of the Jesuits from England might become a *quid pro quo*. In the intense controversy between Dominicans and Jesuits over the efficacy of grace, the latest papal commission had issued their judgment, on 5 December 1601, firmly against the Jesuits. And in March 1602 Clement VIII was roused to fury against Spaniards and Jesuits by misleading reports of a Jesuit debate in Spain about the certainty of a pope's tenure of the office. In such a context someone as long associated with the Spanish court as Persons would have found it hard to deal conclusively with the Appellants' complaints of Jesuit meddling in English politics in the Spanish interest and of improper Jesuit influence over the English secular clergy. Might not the pope now listen with a new favor to the hitherto rejected—but sometimes respectably promoted⁴²—suggestion that many tangled knots could be cut with the single stroke of a Jesuit withdrawal from England?

In a forceful memorandum for the pope written before the Appellants had stated their case, Persons asserted that they were going to say that the queen would grant Catholics liberty of conscience on certain conditions:

Now in regard to what is going to be asked of your Holiness in return for the liberty of conscience which is promised, it is said that they will ask that the office of Archpriest be abolished and done away with, and that the fathers of the Society be expelled from England, together with all the other priests who live under obedience to the Archpriest and are in sympathy and agreement with him. The excuse for this is that all these men (according to them) are in league with the King of Spain against the Queen of England, with the object of giving him the kingdom; and that this is the cause of all the persecution inflicted on the Catholics.⁴³

42. For example, early in 1596 by Mgr. Malvasia, papal commissary in Flanders; Ludwig von Pastor, *The History of the Popes*, vol. 24 (St. Louis, 1933), 39.

43. "Discorso sopra la proposta, che s'ha a fare, per quanto si dice, a Vostra Santità da alcuni sacerdoti Inglesi a nome della Regina d'Inghilterra circa il dar libertà di coscienza ai Catholici di quel regno"; Jesuit Archive, Rome, MSS Anglia, i, fol. 101, transcription and translation by Leo Hicks, SJ, in Jesuit Archive, Mount St., London, box 46/12/4, 1203 (Italian), 1215–16 (English). This part of the memorandum is not reproduced in the version from the Inner Temple Petyt MSS printed in Law, *Arch-priest Controversy*, 2:76–81.

In the event, the Appellants clearly did try to hold out the prospect of toleration for Catholics, in return for the pope’s “initiating some scheme”⁴⁴—left unspecified in their official and unofficial records—for relieving the persecution of Catholics. Secondary reports in Rome⁴⁵ and abroad⁴⁶ took the envisaged “scheme” to be, or to include, the withdrawal of the Jesuits. Persons, early in 1602, wrote of this in his *Manifestation* (discussed further below): “we have seen letters . . . from Germany, Flanders, Venice, Rome, Paris and other places . . . agreeing in this, that they [Appellants] are messengers sent by the Queen and Counsel of England to the pope to offer liberty of conscience upon condition, that the Jesuits with the Archpriest & his friends may be recalled out of England.”⁴⁷ Indeed, there is evidence that the withdrawal of the Jesuits was high in the Privy Council’s hopes and objectives in mid-1601 when it authorized, indeed secretly sponsored, the expedition of the Appellant priests to Rome.⁴⁸ What may well be a Rivers/Sterrell letter to Persons in late January 1603 reports:

44. Five of their six stated points of petition dated 6 March 1602 n.s. (*Archpriest Controversy*, 2:103) are aimed in the general direction of the Jesuits: (1) reiterating the second appeal’s request, already granted, to be declared free from the old imputations of schism, they petitioned (2) that the pope do *something to alleviate the persecution* (the queen apparently now not altogether opposed to doing so) [*aliquam ineat rationem de levanda persecutione in Anglia, a quo magistratus hereticus hoc tempore non videri omnino abhorrere*], (3) that all English clergy religious and secular, be forbidden to meddle in political matters in any way, (4) that the archpriest be replaced by bishops or suffragans, (5) that any who had worked against the state be expelled from the English Colleges in Rome and Douai, and (6) that all English priests and laypeople be put under religious obligation to reveal any attempts against queen or state. These points of petition were written as a memorandum for the French ambassador, to record what Cecil, Mush, and Champney had asked of the pope at their audience on 5 March n.s. (see Mush’s diary, *ibid.*, 5–6); for another memorandum of the audience, see *ibid.* 47, recording that the three Appellants urged the pope both to *inire aliquam rationem* (unlike the tried and failed resort to arms) for relief of Catholics and to chastise and suppress [*reprimere*] the architects of the military initiatives and similar disturbances that so exasperated the state against Catholics. And later, at his audience with the pope on 19 June n.s., Father Cecil’s statement of the Appellants’ petitions included the plea that the Jesuits be removed *a castris et congressibus nostris*, a doubtless intentionally elusive and expansive phrase.

45. Thus the Venetian ambassador to Rome reported on 9 March 1602 n.s. that the four priests in Rome are “to beg for recall of the Jesuits from England in return for which the queen would not forbid the exercise of the Roman rite provided there was no sedition and secrecy”; *CSP Venetian 1592–1603*, 498–89, no. 1061. On 11 May n.s. he reported the French ambassador’s affirmation that the queen would not oppose the quiet use of the Catholic rite; 503, no. 1078.

46. Frangipani, who in the autumn and early winter of 1601 had extensive interviews with three Appellants and another pro-Appellant priest from England, seems to have been in no doubt that, though the three denied it, a primary aim of the Appellant party was the withdrawal of the Jesuits from England; Louand, *Correspondance d’Ottavio Frangipani*, 3:271 (letter of 5 October 1601 n.s.), 276 (10 October n.s.), 289 (23 November n.s.), 290 (7 December n.s.), 294 (28 December, quoting the nuncio in Paris), 331 (22 August 1602 n.s.).

47. Robert Persons, *A Manifestation of the Great Folly* (Antwerp, 1602), fol. 71r.

48. This authorization was strictly a breach of the ancient statute of Praemunire and the Henrician legislation forbidding appeals to Rome. In due course, Puritans would make this kind of point in public criticism of Bancroft and Cecil (as well as Buckhurst, Fortescue, and Whitgift) for their countenancing of papists in the face of the law. See, for example, [Blount] to [Persons], 17 February 1603, Stonyhurst MSS Anglia, iii, no. 9; Foley, *Records*, 1:19 (there misdated 1602).

While I was finishing this letter, I was told by persons of credit that three of the Appellant priests, thought to have been Mush, Champney and Bishop, have by means of the bishop of London had a secret meeting with some councillors, that is, Popham the Chief Justice, Secretary Cecil and one other.⁴⁹ The Secretary, in the name of all the others, said to these priests rather disapprovingly that it is true that you were at Rome as you promised, but you returned without carrying out anything that you promised to do [alcuna di quelle che havete promessa di fare], that is *that the Jesuits would be recalled*, the Archpriest deposed, no more papal Bulls or Briefs sent into England, and that the Pope would call on other leaders to make no further assaults on the Queen's state.⁵⁰

Any such undertakings of Bluet and his associates in mid-1601 would probably have reached Sterrell's ears promptly, and Persons' eyes within about a month. They would go far toward explaining Sterrell's readiness to exert himself, and jointly with Philipps to take some risks, to assist Persons in his defense on several fronts against the third appeal.

49. From Bancroft's letter to Cecil, 1 February 1603 (Historical Manuscripts Commission, *A Calendar of the Manuscripts of the Most Hon. the Marquis of Salisbury... preserved at Hatfield House, Hertfordshire* [London, 1888–1973; henceforward "Hatfield Papers"], xii, 631), it emerges that the third Councillor was Buckhurst, the Lord Treasurer. The meeting is doubtless also the one recorded in a letter of Mush to Father Cecil dated 28 February, which survives in French extracts and reports that those present were Fathers Bluet, Charnock, and Hepburn, "avec le Secretere Cecil le premier president[,] l'Evesque de Londres et deux autre du Conseil privee"; Lambeth Palace Library, MS. 2006, fol. 187. Mush, Champney, and Bishop had in fact just returned from Paris; Bossy, "Henri IV, the Appellants, and the Jesuits," 89.

50. Vatican Archives, Borghese, iii, g. 1, fol. 70v (paper fols. 69–70v: "Cavato d'una Lettera d'un Gentilhuomo Laico di Londra a di 29 di Gennaro 1603"). It goes on: "The Appellants replied that they had dealt with all these items, and that nevertheless they had good hope that the pope would be willing to concede them, and that, if it pleased the Councillors, some of them would be ready to make another trip to Rome to finish off this business, while leaving as security ten of their number in England to be punished in an exemplary manner if the said business were not accomplished faithfully. This was the proposition, but what was further concluded is not yet known, but there is beginning to be talk of a special edict forthcoming against the Jesuits—perhaps my next letters can write more on the outcome of these matters." (Cardinal Borghese, later Pope Paul V, was then vice-protector of the English College and a regular recipient of papers from England forwarded to or transcribed for him by Persons, and had been one of the two cardinals to whom the pope initially entrusted the disposition of the third appeal, in March 1602.) The description of the author fits William Sterrell, gentleman and layman. The passages we have quoted are at the end of the letter, after much other court business, as is characteristic of the Rivers letters. Arnold O. Meyer, in *England and the Catholic Church under Queen Elizabeth*, trans. J. R. McKee (London, 1916), places weight on this paper in the course of a penetrating analysis of the whole affair of the third appeal (p. 439n), and adduces other grounds for thinking that "the unnatural alliance finally entered into between [the government and the Appellants]—an alliance between the persecuted and their persecutors—was due solely to the common motive of hostility to the Jesuits" (p. 435). For a similar conclusion to a well-balanced account, see Arnold Pritchard, *Catholic Loyalty in Elizabethan England* (Chapel Hill, N.C., 1979), 191.

William Sterrell and Thomas Phelippes: Anthony Rivers

By the time of the Appellant controversy, William Sterrell was well established as an intelligencer to Persons and other English Catholic exiles.⁵¹ He worked closely with Thomas Phelippes, whom he had drawn into the service of the exiles. In 1598, Sterrell and Thomas Phelippes (with Thomas Barnes) played out an elaborate maneuver to embarrass and render ineffective Charles Paget (a long-time opponent of Persons), who was enlisting the aid of the French king to have the Jesuits withdrawn from England.⁵² Working in coordination with Garnet, and making use of the Jesuits' delivery systems, Sterrell provided Persons in Rome (and Richard Verstegan in Antwerp and Owen and Baldwin in Brussels) with regular news, often weekly or fortnightly. He used a series of aliases for his correspondence in the 1590s and early 1600s: Henri Saintmain, Robert Robinson, Harry Wicham, George Fenner, Francis Cordale, Ortelio Renzo, Thomas Neevell, Anthony Rivers, [Vincent?] Orwell, and Peter Hallins. During the period of the Appellant Controversy, letters to Persons mostly used the Rivers alias, until a packet of "Rivers" letters was intercepted in early 1603.⁵³ Sterrell's master, the Earl of Worcester, was sworn of the Privy Council on 29 June 1601, and from then on⁵⁴ much if not all Council business became more immediately accessible to Sterrell than before,⁵⁵ and thus also to Garnet and his close Jesuit associate Richard Blount⁵⁶—it

51. See Martin and Finnis, "Identity of 'Anthony Rivers,'" 39–74; idem, "Catholic Intelligencers," 15–29; and see n. 57 below. Sterrell's Catholic activities can be traced in the earliest records we have for him, those at Magdalen College, Oxford, in the late 1570s, and also, in part, in the State Papers Domestic as early as 1585. His intelligence work continued to 1626, not long before the death of his long-time employer, the fourth Earl of Worcester.

52. SPD Addenda, 1580–1625, 15/33/95, Charles Paget to Thomas Barnes, March 1598; SPD Addenda, 1580–1625, 15/34/10, Charles Paget to Thomas Phelippes, 3 June 1599; SP 12/267/67, June 1598, "A Proposition of Charles Paget for calling the Jesuits out of England, by means of the French King, during the treaty"; Robert Persons to Cajetan, Naples, 22 August 1598, transcription, Jesuit Archives, Mount St., London, Box 46/12/5 fols. 912–14.

53. SP 12/287/50–52, 9 March 1603; see Martin and Finnis, "Identity of 'Anthony Rivers,'" 40–41.

54. Even if Worcester was not present at the Council meeting(s) addressed by Bluet, he and his secretary would soon receive pertinent information, inasmuch as the Council kept abreast of the Appellants' release, money-raising excursions, passports, letters to the French, and other departures on the appeal. For some years before he became a Privy Councillor, Worcester, as acting and later substantive Master of the Horse, had accommodation in the palace of Whitehall and was very close to the center of things. But in any event, a letter from Bluet to Mush dated 1 July 1601 was intercepted and in Persons' hands during the printing of the *Briefe Apologie* sometime in the four or five months following the book's initial completion in mid-July.

55. On the evidence within the Rivers letters of this new access to Council business, see Martin and Finnis, "Identity of 'Anthony Rivers,'" 55.

56. Blount was at Balliol (matric. May 1581, BA November 1583) while William Sterrell was at Magdalen, and went over to Rheims (and then Rome) while Sterrell was involved in helping Oxford lads cross the Channel for similar purposes. After ordination as a priest, he spent several years in Valladolid and Seville while Persons was there. In 1596 he entered the Jesuits. Several of the Rivers letters refer, evidently, to Blount as "your [Persons'] brother [fellow Jesuit] Richard," and during the period in question there was a division of labor between Garnet, Blount, and Sterrell in the weekly or fortnightly correspondence with Persons; see, for example, Rivers to Persons, 17 March 1602, West. vii, no. 32, 206 ("other matters I refer to my cousin [Garnet] and Sr Randall [Blount]").

was in these Jesuits' outbound letter packets that Sterrell's Rivers letters left England for Antwerp, Brussels, and Rome.

The intelligence services of Sterrell and Phelippes were employed to assist the English Jesuits, and to counter the efforts of the English government and of Catholic dissidents in France, the Low Countries and, in 1601, England. Their methods, as employed in 1601–2, were threefold. As Anthony Rivers, Sterrell passed information to Persons about the discontented priests and their publications and about government policy and actions against the Catholics. Sterrell took pains to dispatch promptly multiple copies of the books and pamphlets so that Persons could distribute them in Rome. Phelippes' long experience as collector of outward customs for the Port of London no doubt facilitated the transportation of materials. The information thus supplied was of great help to Persons in opposing the Appellants. Persons probably shared, selectively, the Rivers letters in Rome: the information relayed to him almost weekly, direct from Sterrell's immediate access to the Privy Council, was plainly of importance in his vigorous intra-curial diplomacy to preserve the Jesuit mission to England and head off the threat that the government of Catholics in England might devolve to priests too close to the state church's ideology and to its center of power, especially Bancroft.⁵⁷

That Persons had the benefit of an insider's report of the mind of the queen and Council is suggested by the terms of the memorandum from Persons to the pope about the time of the Appellants' arrival in mid-February 1602. Written before Bluet had recounted the queen's views in Rome,⁵⁸ the memorandum gives pride of place to what Persons says is "most certain" about the present view of the queen and her Council:

57. When Persons arrived in Rome in March 1597, where he was based until his death in 1610, he promised to supply Cardinal Pietro Aldobrandino with regular news from London: "I am sending your Eminence by Mr Roger [Baines], Cardinal Allen's secretary, certain reports on English affairs which he has extracted from certain letters written to me, and I shall go on doing the same henceforward, when letters come from there... as long as I remain here in Rome." Persons to Aldobrandino, Rome 2 May 1597 n.s. (Italian), Vatican Archives, Borghese, iii, 124.g.2, fol. 5 (olim 3); transcript and translation by Leo Hicks, SJ, Jesuit Archive, Mount St., 46/12/4, 604–5. On the establishment by Persons and his associates of an intelligence network informed by "trustworthy men in London, who will write avisos, from the very sources, of the things that occur in Council" (Simancas Archives, E. 839/127, point 16, [Spanish] memo of Persons to Idiaquez, late 1596, reporting advice to Persons from Garnet in London; also in *CSP Spanish*, iv, no. 648 at 629), see Martin and Finnis, "Catholic Intelligencers," 17–18, 21–29. In 1602 Aldobrandino, nephew and confidante of the pope, was still secretary of state and a key figure in the disposition of the appeal. Persons' dissemination of information—information that he could truthfully say was not from some hunted Jesuit colleague but from a lay gentleman of the highest abilities listening in at the pinnacle of England's government—will not have abated during the crisis months between the arrival of the Appellant priests in February and the effective disposition of their appeal in late July 1602.

58. A few weeks after arriving in Rome, Bluet was required by the investigating cardinals to describe his dealings with the queen. From his account, SP 12/283/70 (original Latin in Law, *Jesuits and Seculars*, 153–58 at 156), we hear that on being presented by him with a petition for some liberty of conscience (sought on the basis of the fidelity of priests and laity in all temporal matters, and requesting the suppression of Persons' *Book of Succession*), she read and reread it and then declared to the Council: "These men, perceiving my leniency and clemency towards them, are not content, but want everything at once. The King of France may, without peril... grant liberty of religion to the Huguenots, but it is not so with me, for if I grant this liberty of conscience to Catholics, by that deed I lay at their feet myself, my honour,

In regard to the first point [whether the Queen has reasons of state for conceding liberty of conscience], although many people hold that the Queen would do well to endeavour to win over the Catholics in her kingdom and put them under obligation to her with promises of liberty of conscience... nevertheless it is most certain [*e cosa certissima*] that the Queen and the Council have always taken and take at present an entirely different view, being of opinion that, as she has declared herself the enemy of the Church and of the Apostolic See, ... she will never be able to consider herself safe as long as the authority of the Apostolic See is recognised in her realm. ... it must be considered quite certain [*ha da stimare certissimamente*] that she will never put the Catholics in a position from which she may receive injury or have reason to fear it.⁵⁹

This is the phrasing of someone confident that the Appellants will produce no letter from queen or Council such as might even appear to trump him. Sterrell's access to the Privy Council could ground such confidence.

A second method employed by the intelligencers was even more audacious than dispatching intelligence to Brussels, Antwerp, and Rome. They passed reports of the Appellants' reception in Rome to Robert Cecil to influence him to withdraw support from the Appellants and to quell their anti-Jesuit campaign.⁶⁰ The reports originated, as Law surmised, from Persons himself. And thirdly, the intelligencers may also have had a hand in the importation and distribution of Persons' massive rejoinders to the anti-Jesuit books.⁶¹

The transfer of Jesuit and related correspondence, and doubtless of larger packages such as parcels of books, in and out of England was largely carried out by two

my crown, and my life. For their chief pastor pronounced sentence against me whilst yet I was in my mother's womb.... Moreover Pius V excommunicated me and absolved my subjects from their oath of fidelity, and Gregory XIII and Sixtus V have renewed the same, at the instance of the King of Spain, that he may enlarge his own borders; and so my peril it remains.”

59. Jesuit Archive, Rome, MSS Anglia, i, at 1200, 1201 (1212, 1213).

60. Historians have thought that Phelippes and his unnamed source(s) in Rome were instruments of Cecil. Although we demonstrate here that such was not the case, Cecil and Bancroft nevertheless did have other sources of intelligence concerning the Roman developments, in addition to the Appellants themselves. Thus, Cecil had sources informing him of Persons and his standing in Rome. Reporting to Cecil from Paris, Simon Digby said that “Father Parsons is so troubled at [the Appellants'] coming that he will speak to none of his friends”; SP 12/283/53, 8/18 March 1602. From Venice Anthony Tracey wrote to Cecil that the pope was “mightily incensed” at Persons and that “after these matters between [Persons] and the priests are ended, it is thought there will other things be set on foot against him which will be more trouble to him to answer than the present”; SP 12/284/2, 3 May 1602.

61. Persons' prefatory epistle to the *Briefve Apologie* bears a date of 20 July 1601 but, according to Pollen, “revision in England and printing in Flanders was delayed”; *Institution*, 102 (emphasis added). The manuscript was sent to Antwerp where it was edited by Sterrell's correspondent Richard Verstegan and printed under the imprint of Arnot Coninx. The five-hundred-page book then appeared in England about January 1602; A. G. Petti, “A Bibliography of the Writings of Richard Verstegan (c. 1550–1641),” *Recusant History* 7 (1963): 102. Persons' *Appendix* and *Manifestation*, appearing later in 1602, were handled in the same way by Verstegan and Coninx.

laymen, Richard Fulwood, alias Johnson, and Robert Spiller, alias Freeman. Fulwood was an administrator for Garnet and handled much of his business. He often arranged the movement of correspondence, cash, and Catholic priests and students to and from the Continent.⁶²

The waterman using the name Thomas Johnson, who was captured carrying young men overseas to seminaries on 16 May 1601, was probably Fulwood.⁶³ In October, as the Appellants were setting out for Rome, we find Phelippes seeking “Johnson’s” release through Secretary Cecil and Lord Cobham, saying to Cecil (with double meaning) that Johnson’s liberty was “of much moment for the consequence of these [intelligence] services.”⁶⁴ Phelippes pressed Cobham to get the bishop of London to go along with the release; important state business was involved.⁶⁵ What Cecil and Bancroft did not know, but is now entirely clear, was that Phelippes needed Johnson/ Fulwood released to pursue the business of the state’s prime opponents.

Phelippes’ confessions to Cecil in 1605/6 repeatedly identify Fulwood as going by the alias of Johnson, and Phelippes acknowledged frequent contacts with him. Some months after Phelippes’ efforts to obtain release for “Johnson,” statements by a captured priest were passed on to Cecil, telling him of Fulwood’s role in carrying letters and persons overseas. On 18 July 1602, Robert Poley⁶⁶ forwarded to Cecil a long statement of Father Robert Barwise, who was negotiating information for release and better treatment.⁶⁷ Poley said he knew that it was not “fittest to attend your Lordship

62. Godfrey Anstruther, *Vaux of Harrowden: A Recusant Family* (Newport, Monmouthshire, [1951]), 198, 376; Philip Caraman, *John Gerard, Autobiography of an Elizabethan* (London, 1951), 73, 132–38; Foley, *Records*, 3:512–13 (letter of Father Baldwin). Richard Fulwood (Little Richard) and his brother John (Lazy John) were arrested together in 1594 for their religion and imprisoned in the Counter; SP 12/248/31, 16 March 1594, Robert Watson and Edward Vaughan to [Sir Robert Cecil]; SP 12/248/40, 21 March 1594, examination of Richard Fulwood before solicitor general Coke and four others. The brothers identified themselves as two of the sons of Thomas and Alice Fulwood of Weston Warwickshire or Staffordshire. Fulwood was Gerard’s servant at the time. He was tortured for information on Gerard but remained steadfast. Escaping, he entered the service of Henry Garnet.

63. SP 12/279/85, 16 May 1601. Her Majesty’s ship *The Lion* halted a boat at Tilbury Hope that was carrying a group of about fifteen youths of good families. Their immediate destination was Calais, from which they intended to depart for seminaries. They were in the company of a man called Thomas Johnson of Bankside, said to be a waterman. The report of the apprehension said that John Hake, a tailor of Southwark, had secured the boat (belonging to Cornelis Nabs of Calais) for the youth and that “it is signified that Johnson is a special man to carry away these young gent.”

64. SP 12/282/2, Phelippes to Cecil, 3 October 1601.

65. SP 12/279/109, Phelippes to Cobham, 13 June 1601.

66. Poley was Walsingham’s instrument in the Babington Plot in 1585–86 and one of those who was present at the killing of Christopher Marlowe in 1593; see Charles Nicholl, *The Reckoning* (London, 1992), 133–46, 162–63.

67. Hatfield Papers, 12:230–32. The letters of Fenner/Cordale/Rivers (all pseudonyms for Sterrell) discuss Barwise on several occasions, noting that he is to be released from prison and banished; SP 12/271/33, 30 June 1599, Fenner to Giulio Piccioli or Bernardo Edlyno. Rivers later reports that Barwise was “hop[ing] for liberty,” letter of 17 March 1602 (West. vii, n. 32, 206; in Foley, *Records*, 1:24), and that he had “little reputation,” letter to Ridolfo Perino, 30 March 1602 (West. vii, n. 33, 208; in Foley, *Records*, 1:26). See also Rivers to Ridolfo Perino, 22 December 1601 (West. vii, n. 9, 33); Rivers to Ridolfo Perino, 12 February 1602 (West. vii, n. 25, 185); Rivers to Ridolfo Perino, 26 May 1602

openly in Court” but that Barwise had confided in him “the secret in and out passages of the Jesuits, the conveyance of their closest affairs, and in what places they chiefly remain here within.” Barwise named couriers and routes used for the passage of people and communications, reporting: “For the conveyance of their packets, they seldom commit them to any shipper, but send in these aforesaid ‘passenges’ some special agent of theirs with charge of the businesses. The chief for that purpose are, as yet I can learn, Robert Spiller, Richard and John Fulwood, etc.”⁶⁸ Barwise suspected that the man carrying them was a Genoese merchant living in London named Phillipo Bernardo, for Spiller and the Fulwoods were apparently very familiar with him. Barwise’s reliable information probably came from the archpriest himself. Blackwell had foolishly shown trust in Barwise by having him help examine and discipline one of the dissident priests who was imprisoned with Barwise.⁶⁹

In addition to the Fulwoods, Barwise identified Robert Spiller as one of the Jesuits’ principal couriers. Spiller’s brother Sir Henry was a high official of the Exchequer,⁷⁰ and this may have yielded gossip from court that Spiller was in a position to pass on to his friends in Spain and the Low Countries. He had probably long been a correspondent of Verstegan and an assistant to Father Garnet.⁷¹ He was for many years a manager of property for the Countess of Arundel, for whom the Jesuit poet Robert Southwell had been chaplain.⁷²

Pleading with Waad, Keeper of the Tower, for release from prison in 1606, Phelippes explained his relationship with Freeman alias Spiller. Speaking of himself in the third person, Phelippes said:

(West. vii, n. 44, 240). “Piccioli” is Father William Baldwin, SJ, in Brussels; “Edlyno” is Hugh Owen in Brussels; “Perino” is Persons.

68. Similar testimony about Fulwood was given in 1606 by another informant, John Healey, who said: “There are two persons in the city, one called Richard Fulwood, a Jesuit, yet a lay man, no priest: he was attendant upon Walley [Garnet] the provincial some two years since and resorted ordinarily unto one Griffins a taylor at the signe of the goate without Temple Barre (which sign I think since is changed). The priests of the countries commend such youths as they make choice of unto him, who placeth them in some blinde alley neere the water until winde forms for passage, wch fitting, the Vessel (which is some old hoy or such like to avoid suspicion) goeth down empty towards Gravesend, and he provides a pair of oars and boats the passengers and carriage, and so ships them into the Barke commonly beyond Greenwich, and conveys the money which belongs unto them afterwards himself”; SP 14/20/47, John Healey to Lord [Salisbury?] April? 1606.

69. Law, *Jesuits and Seculars*, lxxxvii.

70. Albert J. Loomie, ed., *Spain and the Jacobean Catholics*, Catholic Record Society, no. 64, vol. 1 (London, 1973), 1. For over twenty years from 1602, Henry Spiller, a secret Catholic, was in charge of collecting the fines and sequestrations from recusant Catholics nationwide.

71. In May 1594, the Jesuit priest Henry Walpole was questioned in prison about his knowledge of a Spiller; J. H. Pollen, *Unpublished Documents Relating to the English Martyrs 1584–1603*, Catholic Record Society, no. 5 (London, 1908), 250. In a further confession in June, he indicated that Father Garnet and “Spillor” provided intelligences to Verstegan for Fathers Persons and Holt, the leading English Jesuits overseas (p. 262).

72. Loomie, ed., *Spain and the Jacobean Catholics*, 1:1–2, citing H. G. Fitzalan-Howard, Duke of Norfolk, ed. *The Lives of Philip Howard, Earl of Arundel and of Anne Dacres, his Wife* (London, 1857), 240–42, 292–93; M. Hervey, *Life and Correspondence and Collections of Thomas Howard, Earl of Arundel* (Cambridge, 1921), 23, 25, 258; L. Stone, *Crisis of the Aristocracy* (Oxford, 1965), 413. Loomie notes that Spiller was still publicly identified as a recusant in 1626 (citing J. Rushworth, *Historical Collections*, 1:396).

Ph[elippes'] acquaintance with Freeman grew in the late Q[ueen's] time when as the first negotiation for the jewels of the house of Burgundy was set afoot and so increased as the Negotiations for peace multiplied. He [Freeman] always professed dutiful affection to the state offering his service from time to time to that purpose, and was able (as he did) to inform Ph[elippes] of the occurents abroad: and in *that great quarrel between the Jesuits and the Seculars* furnished Ph[elippes] with all the intelligence he had thereof whereof you Mr. Lieutenant [Waad] know the use was made.⁷³

The information that Phelippes had given directly to Robert Cecil for several years about the dissensions within the Catholics had *all* come from Spiller, a man close to Garnet. Or so Phelippes said in 1606, wanting the government to conclude, as Law did centuries later, that he had been an unwitting dupe of the Jesuits.

Phelippes similarly confessed to Robert Cecil a few weeks earlier: "As touching Freeman, I told your Lo[rds]hip] always I took him for an honest Papist. He professed ever to be ready to further any service for the State and furnished me with sundry news in former times. . . . He is no priest sure for he hath a wife that I think he told me attended the Countess of Arundel and his right name is Spiller having a brother of that name in the Exchequer to whom he was not desirous I should seem to know him I once perceived: but the name of Freeman I think was assumed to disguise himself to me."⁷⁴ Cecil and the bishop of London already knew from Barwise of Spiller's work with the Jesuits. They also were aware that his employer, the austere Countess of Arundel, had close relations with the Jesuits. In December 1602, Bishop Bancroft wrote to Cecil that he had learned of a draft of a Jesuit "treatise" sent to Persons, who had revised it. The treatise had then been sent into England to the archpriest and now was with Garnet "or with the Countess of Arundel. It is high time," he urged, "to look to that lady."⁷⁵

☞ Rivers' Intelligences to Persons

No more than a fragment or two from the Rivers letters survives for the period 13 January to 22 December 1601, but some of the information about the Council conveyed to

73. SP 14/20/51, CSP 1603–10, p. 314, April? 1606, the Tower, Thomas Phelippes to the lieutenant of the Tower (Waad) for the king. We are preparing an article on these negotiations, in Elizabeth's last years, about Burgundian jewels.

74. SP 14/18/63, 4 February 1606, Phelippes to Cecil.

75. SP 12/286/17, Richard, bishop of London, to Secretary Cecil [December 1602]. Robert Spiller played an important role in facilitating contacts for the representatives of Archduke Albert with members of the court as King James came to the throne in 1603; A. J. Loomie, *Toleration and Diplomacy*, Transactions of the American Philosophical Society, n.s., vol. 53, pt. 6 (September 1963), 15–16. After the Gunpowder Plot he was suspected of involvement and fled London, but he soon returned and submitted or purported to submit himself. See (1) SP Flanders 77/8 fol. 16v, 6 January 1606, Edmondess to Cecil: "I have been also informed, that the person that passed the last time from hence into England, in the company of Guy Fawkes, is one Spiller that then went under the name of Bellamy. It is said that he is brother to Spiller the Attorney of the Exchequer"; (2) SP 14/18/124, 28 February 1606, Stephen Phelippes'

Persons by letters from Garnet very probably came from Sterrell.⁷⁶ A transcribed fragment from a Rivers letter to Persons dated 1 September implies that much has already been revealed to Persons:

Bluet is forthwith to go to Paris⁷⁷ and is said to have Her Majesty's and the Scotch King's letters to the French King to assist him and his associates in their business with the Pope which they give out to be about peace and toleration: he goeth first to provide for his three companions. Some say Mush will follow.⁷⁸

Around the same time that Persons received this news from Rivers/Sterrell,⁷⁹ he was supplied with a letter from Bluet to Mush dated 1 July, all or most of which he transcribed into his *Briefe Apologie*, then in press; obtaining the letter was a coup, for, amazingly, it recounted how Bluet had just arranged with the queen and Council for the expedition to Rome to prosecute the third appeal.⁸⁰

information; (3) 20 March 1608, bishop of London to Cecil (Hatfield Papers, 20:109): Robert Spiller “has taken the oath of allegiance and protested deeply his dislike of the Jesuits; as also his readiness to do the state any service.”

76. On 6 July 1601 (Stonyhurst MSS, Coll. P, fols. 537–38), Garnet tells Persons that “new appeals and the journey of the four [i.e., to Rome] is threatened daily.”

77. It appears that in the event (in November) Bluet went, with Fathers Bagshaw and Barnaby, to Flanders to see the papal nuncio Frangipani, while Fathers Mush and Champney went to Paris to see Henri IV's minister Villeroy; see Frangipani's letters (n. 30, above), and Bossy, “Henri IV, the Appellants and the Jesuits,” 81–84, which also describes Bagshaw's decision to go no further than Paris, and his replacement as intellectual leader of the party by Father John Cecil, an untrustworthy but Francophone priest resident in Paris, who made himself the “dominant figure in the group.” Barnaby returned to England, and so the four who journeyed on to Rome were Fathers Bluet, Cecil, Mush, and Champney. As Bossy's account details, they now went with the support they had sought from Henri IV.

78. Short excerpt by Christopher Grene of a letter from Rivers to Persons, Stonyhurst MSS Coll. P ii, fol. 584 (modern fol. 279). This letter may be the source of a sentence in the prefatory epistle to the *Briefe Apologie*, paragraph 14: “and then are they [the four Appellants] to pass into France, and there by the help of the Queen's ambassador, and other means, to procure if they can his most Christian Majesty's letters to your Holiness in their favour.” See also n. 79 below.

79. The *Briefe Apologie* purports to be written by priests in England, and to be dated 1 July 1601 (the preface) and 20 July 1601 (the preliminary epistle to His Holiness); the dates must therefore be read as o.s. But since it is certainly the case that the work was composed by Persons in Rome, these purported datings may be as fictitious as the supposed collective authorship, for the epistle (like the last chapter of the book) refers to Bluet's letter to Mush, which is dated 2 July (presumably o.s.) and is most unlikely to have been in Rome by 20 July o.s. The smoothness with which the Bluet-Mush letter is introduced in the final chapter of the book (and the epistle) also makes it unlikely that the book was in fact completed as early as it purports to be; see also n. 78. The terminus ad quem is about October, leaving time for the whole book to be set up in Antwerp and sent in proof to England, whence Garnet wrote on 16 December to correct a passage against Bagshaw on fol. 201 (the correction was made by way of a new sheet after the final page). Someone writing in Rome to simulate authorship in England might naturally subtract about six weeks from the n.s. date in Rome—that is, the month it might take for English news to reach him, and the ten-day gap between o.s. and n.s.

80. Tierney-Dodd (3:cxlvi–ii) accepts Persons' transcript, *Briefe Apologie*, fol. 208r–v (misnumbered 210).

As Rivers/Sterrell reported, the Appellants journeyed to Paris. Here, with the help of Catholic exiles,⁸¹ and perhaps of Robert Cecil, they gained the backing of the king of France, who provided them with letters of support and sent instructions to his ambassador at Rome, Philippe de Béthune, to further their cause. Some of the party went into Flanders, seeing the papal nuncio at Nieuport and Dr. Worthington at Douai.

The French king had no reason to favor the English Jesuits, and the Society had been banished from France in 1595 by the *Parlement* of Paris. The English Jesuits were thought to favor the Infanta (the Archduchess Isabella, daughter of Philip II of Spain) to succeed to the English crown. Although the French and Spanish were at peace, the French king preferred that England and Spain remain apart. Ambassador Béthune and the French representative to the pope, Cardinal d'Ossat, were to become the strongest supporters of the Appellants, and Rome was now inclined to the French.

While the Appellants were in Paris, Rivers sent four books to Persons that Persons had not seen. He promised to send two more new ones, an English version of Watson's *Quodlibettes* and a book by Anthony Copley, "full of apparent falsehoods and slanders. All contain such unpleasing matter devised of mere malice, as they cannot but be ungrateful unto you."⁸² The date of this letter is 22 December 1601 (2 January 1602 n.s.). Persons is unlikely to have received these books before late January 1602 n.s. The Copley book was almost certainly *An Answer to a letter of a Jesuited Gentleman by his Cousin*.⁸³ Responding to this book, Persons recalled Copley from his days as a student in the English college at Rome, an "idle-headed boy" who was "light witted" enough to ascend the pulpit with a rose in his mouth.⁸⁴ The set of books became Persons' primary evidence against the Appellant delegation and the dissident priests behind them.

The expansive Rivers letter of 12 February 1602 to Persons (over three thousand words) deals with the Appellant affair tersely at the end, and depicts a kind of unity, or united front, that will soon disappear from Sterrell's accounts. The dissident priests are behaving in the customary ways, "the state still favoereth them, and our Bishop is their chief Patron." The writer has heard of a "Proclamation penned, perused, approved, and ready for the print, importing her Majesty's satisfaction of their true allegiance, and thereupon authorizing all sorts to receive, relieve, aid, or comfort them, any law heretofore made to the contrary notwithstanding."⁸⁵ Six weeks later, he will have to

81. Baldwin, from the camp at Ostend, reported that "Doctor Bagshaw and some others of that crew are gone up towards Rome.... They were courted and countenanced in Paris by Paget, Morgan and the rest of the Scottish faction, whereby we may gather that they are all birds of one feather. They hold (as I hear) divers consultations in Mignon College. God grant they bring not forth a like tragedy to that of Babington"; SP Flanders, 77/6 fols. 326–27, 16/26 February 1602.

82. Rivers to Perino, 22 December 1601 (West. vii, n. 9, 34).

83. Copley, a poet and mercurial personality, was from a strongly Catholic family. One of his sisters was the second wife of Richard Stanihurst, and he was a cousin of Robert Southwell. Another sister was Margaret Gage, who was condemned but reprieved in 1591 for harboring a priest and again arrested in 1601 for the same cause, along with Ann Line (who suffered execution). On Copley's role in the Bye Plot, see Mark Nicholls, "Treason's Reward: The Punishment of Conspirators in the Bye Plot of 1603," *Historical Journal* 38 (1995): 821–42.

84. Persons, *Manifestation*, 96v.

85. Rivers to Perino, 12 February 1602 (West. vii, no. 25, 186; passage not in Foley, *Records*, 1).

write that he was misinformed about the proclamation,⁸⁶ but we will see that the next time he reports a forthcoming proclamation he is far from misinformed. At the root of the rumor about a proclamation may have been the decision of Cecil and some Privy Councillors to give Bancroft protection from criticisms both from within the Council and from the Puritans. Bancroft had asked Cecil on 8 February to provide him with such a letter, signed by "some three or four of your Lordships," so that he could then approach the Lord Keeper, the Chief Justice, and the archbishop of Canterbury⁸⁷—three Councillors who, by implication, would otherwise be unwilling or opposed. Such a letter was forthcoming, that same month, affirming that it was for the good of Her Majesty's service and with the approval of the queen that Bancroft had "been driven sometime to restrain and sometime to relieve" sundry Romish priests in the cause of "laying open the malicious practices of the Jesuits."⁸⁸ Though the letter stated the queen's pleasure that "you shall still continue the same in all things which shall appear in your discretion to be necessary for the good of her Majesty's service," open opposition to aspects of Bancroft's policy seems to have continued within the Council.

At the beginning of March 1602 Sterrell sent on more pamphlets of the dissidents to "your [Persons'] factor"; the Rivers letter to Persons of 3 March says, "we always send to him such new pamphlets as are here current."⁸⁹ Persons must have communicated some impatience with delay in delivery, as Sterrell spoke of problems finding "good means for the transporting, whereof many times we have great difficulty, and that may be the cause that you had not the *Quodlibettes*, and such like with so great celerity as you desired, whereof notwithstanding both my cousin [Henry Garnet] and my self had special care and omitted no industry till we had remitted of each sort 4 to the end you and other friends might have full notice of the contents." Persons may have been flattered to learn that the bishop of London had caused fifty copies of Persons' *Briefe Apologie* to be printed by the queen's printer, to be presented to the Privy Council and his friends. The *Briefe Apologie* is characteristic of one phase of Persons' efforts: it seeks to discredit the Appellants' cause by emphasizing their shady dealings with the enemy, the queen and Council. His audience here is the Roman curia, and English Catholics whether recusant or *in animo*. Both the prefatory epistle to His Holiness and important elements in the body of the *Briefe Apologie* emphasize the malign efforts of the "Council of England" against English Catholics and their overseas concerns, such as seminaries. The Privy Council incited the Dutch to chase the seminary away from Douai in 1577/8, tried to persuade Henri III to expel it from Rheims, sent

86. Rivers to Perino, 30 March 1602 (West. vii, no. 38, 208): "The matter as touching the proclamation was mistaken, and I misinformed; it contained only good orders to repress all piracies and depredations upon the sea" (passage not in Foley, *Records*, 1).

87. Bancroft to Cecil, 8 February 1602 (Hatfield Papers, 12:47).

88. SP 12/183/40, Privy Council to Bancroft, February 1602 (no signatories) (*CSP Dom. 1601–1603*, 155).

89. Rivers to Perino, 3 March 1602 (West. vii, n. 29, 197). The factor (general agent) was probably Nicholas Smith in Rome, and the dispatch was perhaps via Verstegan in Antwerp.

someone to poison Allen, stirred up faction among the exiles in France, encouraged two priests in France to write against Allen and the Jesuits, encouraged faction in the late eighties and early nineties, incited the disturbances in the English College Rome in the mid-nineties, and now are dealing with the dissident priests in relation to both the third appeal⁹⁰ and the preparation and publication of the insubordinate, anti-Jesuit polemical books that began to appear in the spring of 1601.⁹¹ The Council are (leaders of) the common enemy. Such was Persons' first line of defense. But soon, working through Sterrell and Phelippes, he will shift to a different tactic, focused on London, with as its centerpiece anonymous letters delivered to the English government, as well as a new work aimed at limiting government support of the Appellants.

The Rivers letter of 3 March reported Lord Keeper Egerton's address to the assize judges in mid-February: Jesuits (seminary) priests, and Puritans all labor for the subversion of the state; the Jesuits are the worst, but the priests who have written against them were nourished in their contentious humours by pride and ambition. "He [Egerton] spake also much against the liberty that some priests enjoyed,"⁹² affirming all such as relieved or received them to be within the compass of law, willing the Justices to have regard thereunto." Sterrell went on to underline this disarray within the government: "the Lord Keeper and the Chief Justice do much mislike that by favour of the Bishop of London the discontented have such liberty."⁹³

A week later Sterrell could report that Bancroft's principal sponsor, Cecil, was showing signs of queasiness about the policy:

The unquiet priests here nothing relent, but are rather in jollity; they b[oast] that their agents Mush, Champney and Bluet are already at Rome. One of go[od] account told me, and I dare warrant it for truth, that Mr Secretary of late said that he found himself abused by those priests, disavowing all good conceit of them, adding that he well perceived that they did notably cogg and lie touching the encouragement

90. *Briefe Apologie*, epistle, paragraphs 3–14.

91. *Briefe Apologie*, fol.163v: "these books were printed in England by consent of the heretics, but yet in some secrecy for avoiding the knowledge of Catholics more than of the enemy. Nay, now it is further known how the matter of this printing hath passed under the protection of my Lord of London."

92. Sterrell describes one aspect of this situation on 26 May 1602 (Rivers to Perino; West. vii, no. 44, 239): "Watson continueth in good grace with the Bishop of London, as being his ordinary guest, and under his protection walketh seemly, braving it out with a great feather in his hat and two men and a page at his heels" (passage not in Foley, *Records*, 1).

93. Rivers to Perino, 3 March 1602 (West. vii, no. 29, 200). The letter also reports the exultation of Waad—the Privy Council clerk specializing in repression of recusancy—who had told "a friend of his" that the good effects of his nourishing the faction included not only the justification of royal policy but also the discrediting of the priests themselves. Meantime, the letter adds, "the unquiet priests persevere still in former obstinacy, and labour to keep matters still on foot by gathering of hands, and false rumours. Their lives and conversation in the mean is to scandalous, qualis arbor talis fructus" (passage not in Foley, *Records*, 1). The word(s) or phrase "to to" might be transcribed as the Latin "*toto*" (wholly), a term used elsewhere in these circles. But in the holograph here, as in the letter of 28 July 1602 (see n. 149), it is quite clearly "to to" = "too too" (as in *Hamlet*, "too too solid flesh" and six other places in Shakespeare), in Rivers' usual orthography for "too."

given them by the two nuncios of France and Flanders to proceed of their voyage. And as to the *Apologie* and *Appendix* he said that the style of these was much more grave and sensible than the others; especially he showed a dislike of the *Quodlibets* [of William Watson], as written with great and apparent levity, etc.⁹⁴

Next Wednesday's letter (17 March)⁹⁵ reported that Cecil “disavoweth all good conceit of any priest whatsoever, setting it down for a ground that they cannot but wish and, as much as in them lieth, labour the alteration of the present government and advancement of their own designs.” However, there is encouragement for Persons: “for learning, gravity, and modesty, he [Cecil] attributes much more to the Archpriest's party, the other, in their books, discovering too apparent levity.”⁹⁶ Still, despite Puritan attacks that have now reached the stage of printed publication, Bancroft and his backers among the principal men are standing firm, understandably:

I understood for certain that the Queen herself hath commanded this faction to be still nourished, upon conceit that thereby the college of cardinals will be divided in opinions (if it stay there) and therewithal the Pope be distracted from determining the controversy or soliciting the King of Spain or any other to endanger our state—besides that it will be a bridle to the Spanish to attempt anything, understanding of the disunion of such as he would most rely on, and so not trust to a broken staff.⁹⁷

As can be inferred, Spanish intervention in Ireland⁹⁸ had left the queen and government feeling threatened, even after the surrender of Spanish forces there. Indeed, Sterrell's next Rivers letter, on 30 March, says bluntly that “the state is here very fearful lest the King of Spain should prosecute what he had begun, by sending again those or other forces into the north parts, which we esteem very dangerous.”⁹⁹

Events in Rome

The group of Appellant priests arrived in Rome in mid-February but stayed hidden for a week at the instruction of the French ambassador, who sent word of his support, as

94. Rivers to Perino, 10 March 1602 (West. vii, no. 30, 201; in Foley, *Records*, 1, partly mistranscribed).

95. The date of all but five of the twenty-five relevant Rivers letters proves to be a Wednesday.

96. Rivers to Perino, 17 March 1602 (West. vii, no. 32, 205; in Foley, *Records*, 1, partly mistranscribed).

97. *Ibid.* At the end (p. 206), the letter adds that when Dr. King preached at court bitterly “against Jesuits and all priests, the Queen gave him great thanks, wishing all the Kings of Europe were of his mind.”

98. The Rivers/Sterrell letter to [Persons] of 12 February 1602 (West. vii, no. 25, 183–84) gives a graphic account of the Spanish landing at Kinsale (23 September 1601) and surrender thirteen weeks later.

99. Rivers to Perino, 30 March 1602, (West. vii, no. 33, 207). This is still his opinion five months later: “We have and do continually send great store of armour and munition for Ireland. . . . we have strongly fortified Kinsale and the other places possessed the last year by the Spaniards, who we much doubt [i.e., think] have a purpose to give an other attempt this year”; Rivers to Perino, 25 August 1602 (West. vii, no. 57, 275; passage not in Foley, *Records*, 1).

did d'Ossat, the ecclesiastical ambassador for France who had negotiated Henri IV's reconciliation to the Roman Church. In a curia where the old Spanish ascendancy was much faded, Spanish attitudes to the papacy were increasingly resented and French influence ever more weighty, Ambassador Béthune made free with gifts and pensions. When the four Appellant priests began their round of curial visits on Ash Wednesday, 20 February 1602 n.s., they found the cardinals friendly, though Persons had everywhere preceded them with reports of their dissidence. The Appellants, though disobedient to the archpriest, were not judged schismatic by any of these cardinals. But this official line merely echoed the position taken in the papal brief of 9 August 1601 n.s. There was, however, something new (besides the priests' open protection and sponsorship by France): the books sent by Sterrell. These were almost certainly among the set of four volumes (each in four copies) dispatched by Sterrell to Persons in December, possibly supplemented by the *Quodlibets*, which Sterrell had doubtless managed to send early in the new year (new style). Mush's diary records that at the Inquisition "we disclaimed from them as in truth we were not privy to the making or divulging of them, nor did we know the author or what they contained."¹⁰⁰ If the opinion transmitted by Rivers on 7 July 1602 is correct, two of the works in question were chiefly authored by Bluet and Mush, respectively,¹⁰¹ with prefatory material added after their departure for Rome by William Watson. Be that as it may, the books kept the Appellants in Rome on the defensive throughout the appeal. The Commissarie of the Inquisition was very friendly, Mush reported, but "found great fault with certain English books printed in England which had been delivered him containing much bad matter."¹⁰² On 24 February the French ambassador told them that the pope found fault with the books published in England and had heard that the dissidents were "contentious and troublesome."¹⁰³

On 4 March n.s., on the eve of a first audience with the pope, the Appellants wrote back to their supporters in England, claiming to be silent in the face of their opponents' "scandalous manner of proceeding": "their accusations are such, for the most part, as by our very coming are satisfied." They expressed optimism about the prospects, "by God's providence, and the favour of the Christian [i.e., French] king":

100. This disclaimer is made in noticeably more restrained terms ("Our answer is, and most truly, that we neither knew nor consented to the printing of any such") in the Appellants' joint letter to their supporters in England, dated 4 March 1602 n.s., in which they report that the books are regarded as "containing heresy and evil sounding propositions"; *Tierney-Dodd*, 3:clv. Tierney asserts here that the books in question were *Important Considerations* and *Quodlibets*, both of which he ascribes to Watson.

101. Rivers says, "Mush is thought to be author of the *Dialogue*, Bluet of the *Important Considerations*, Bagshaw of the *Sparing Discovery* and divers others, Watson was but the prolocutor, in adding the prefaces as himself confesses" (West. vii, no. 50,254, 7 July 1602). Though Law and Pollen thought *Important Considerations* was by Watson or Bagshaw, the Rivers ascription is adopted by A. F. Allison and D. M. Rogers in *The Contemporary Printed Literature of the English Counter-Reformation between 1558 and 1640*, vol. 2 (Aldershot, U.K., 1994), no. 62 (but their remark that it is in part answering *A Brief Apologie* cannot be accepted). No one has ever doubted that Watson wrote the *Quodlibets*—that is, *A Decadordon of Ten Quodlibetal Questions concerning Religion and State*... ([London], 1602).

102. Law, *Archpriest Controversy*, 2:2.

103. Law, *Jesuits and Seculars*, cvi.

the pope had “promised to hear our cause at large.” The next few days were to dissipate this optimism. At their audience on 5 March they were roundly berated by the pope, who then committed the cause exclusively to two cardinals they completely distrusted. Mush wrote that the pope had heard many evil things about them, that they were sent by heretics at their cost, and that they had set out books containing heresies. Sounding dejected, Mush continued: “Our protestation of obedience to him [the archpriest] he called *verba & parole* [words and yet more words]. All we proposed seemed to dislike him.”¹⁰⁴ Sterrell’s letters to Persons and the books he had sent produced their intended effects. The fierce invective of the books, hostile to decades-old Papal policy as well as to Jesuits, could not be explained away by the subtle Dr. Cecil nor by earnest Father Mush.

On 7 March the French ambassador told the appellant group that he was not in a position to “deal openly and show himself to stand for us” because his instructions did not extend so far; if they wanted more, they must “procure that they of England might, though in secret manner or insinuation, move the King to further our causes. . . . whereby we perceived that our helps by France were not so effectual as we hoped.”¹⁰⁵ On the following day they “heard that Fr Persons reported that the French ambassador began to forsake us, which we could see no ground of.” The day after that, Persons wrote to Rivers, as the reply of 7 April records:

I have at this present received from you both your letters of the 9th and 14th of March [n.s.] together, written by the hand of your brother Nicholas [Smith, secretary to Persons],¹⁰⁶ which I was right glad to see, as well to understand your good healths as also to hear how the Appellants proceeded in their business, *of which subject you give full relation*, for which I heartily thank you, and *it will be to good purpose for the satisfying of others*, who before were made believe by their associates that they had found very favourable audience, with many assurances of very good success in all their designs, all which we now perceive how consonant they are to their former courses, hitherunto prosecuted by ignominious slanders and most untrue reports.¹⁰⁷

104. Law, *Archpriest Controversy*, 2:6. In a letter of 31 March 1602 the Appellants again emphasized the books that were recently sent to Persons; Mush to Edward Farrington (Bennett), 31 March 1602, reprinted in *Tierney-Dodd*, 3:clvi–clix. Persons was charging them with “heretical propositions contained in certain English books set out since we came, they say, by Mr. Watson. These we must answer, when Father Persons has set them down in writing.” These books certainly included some that were sent by Sterrell, such as the English version of Watson’s *Quodlibettes* and Copley’s *Answer*; perhaps all on Persons’ list came from Sterrell. Tierney prints Persons’ list; *Tierney-Dodd*, 3:clviii n. 1.

105. Mush diary; Law, *Archpriest Controversy*, 2:6–7. In a letter into England a few weeks later, Mush was more positive about the French role: “We are safe under the protection of the the King of France; otherwise we had been fast [imprisoned] at the first. . . . the French ambassador is a father to us”; Mush to Edward Farrington (Bennett), 31 March 1602, reprinted in *Tierney-Dodd*, 3:clvi–clix.

106. See n. 130 below.

107. Rivers to Perino, 2 April 1602 (West. vii, no. 35, 211, emphases added; passage not all in Foley, *Records*, 1).

Though Persons' "full relation" of 9 or 14 March n.s. cannot now be found, it seems that, in some version, it may have been the first of the relations (accounts, narratives, memoranda) that Sterrell, directly or indirectly, received from Persons, and Phelippes passed on to Robert Cecil.¹⁰⁸

☞ "Intelligence" to Cecil

Phelippes insinuated himself with Cecil on the Appellant controversy early in 1602. Records survive of five, or perhaps six, transmissions to Cecil of relations from Rome that, as Sterrell and doubtless Phelippes knew but Cecil doubtless did not, were composed by Persons—and indeed, composed wholly or mainly to influence Cecil. Most if not all of these records are from Cecil's files; some are endorsed by one of his secretaries, and bear in Phelippes' hand the letter's address to "Her Majesty's Principal Secretary." They are dated 4 May, 4 June, 30 July, 21 August, and 3 November. A final letter dated 6 December may or may not have been accompanied by an enclosure from Rome; it hints that "our correspondent," who is disheartened but willing to write further, may well not do so.

The letter of 4 May from Phelippes to Cecil encloses "such occurrents and advertisements as came last to my acquaintance," suggesting that similar news had recently been passed on.¹⁰⁹ The enclosure was a copy of a letter from Rome dated 27 April 1602. That dating can be trusted: the relation refers to an event "today" that is described in Mush's diary for that day, 27 April n.s.¹¹⁰ So this relation traveled from Rome to London astonishingly fast: sixteen days rather than the normal four weeks. Persons' aims and methods can be understood from this first item of the surviving transmissions of Roman letters and papers to Cecil. The relation dated 27/17 April begins, in all four versions: "—— to ——. I have written to you before what was past" about the Appellant priests. They had, it goes on, a courteous audience of His Holiness, "but yet he gave them a sound reprehension." That alludes to the papal audience of 5 March n.s. The purpose of the relation, and of supplying it to Cecil, begins to emerge plainly in the succeeding sentences:

They making great instance to be delivered from the note of schism and rebellion before the coming of the first brief [April 1599], His Holiness remitted himself [on 10/11 April 1602 n.s.] to his second brief [August 1601], and imposed silence upon all that passed before the first brief,

108. For the system of transmission from Persons to Cecil in its fully functioning form, see text at nn. 128–130 below.

109. SP 12/284/4, 4 May 1602, Phelippes to Cecil with 17/27 April 1602 letter of Rome.

110. Mush diary, *Archpriest Controversy*, 2:12; see 2:88–89 for a reprinting (from the bundle of papers left behind in Rome by the Appellants) of a Latin paper headed *De modo procedendi Sacerdotum qui Appellantes dicuntur; quaedam a Jesuita quodam scripta et in Angliam missa, Romae 27 April 1602 stylo novo* [On the manner of proceeding of the priests known as Appellants: writings by a certain Jesuit dispatched to England, Rome, 16 April 1602 n.s.], which also recounts as happening *hodie* the incident described in SP 12/284/4i as "today." Law's annotation says that the SP 12/284/4 document is "the English original" of this Latin paper; but though there is overlap the differences are too great for one to be the "original" of the other.

adding that he would have his two briefs [of 1599 and 1601] exactly observed. Upon this followed the examination of eleven books, published in Latin or English, out of which thirty-nine propositions were exhibited as erroneous and scandalous, together with the form of a certain oath taken therefrom.¹¹¹

The first of these sentences is calculated to minimize—or rather, to put in context—an event that the Appellants, both in Rome and England, were trumpeting as a stunning victory: the ruling on 10/11 April n.s. by the two deputed cardinals, with papal approval, that the original non-acceptance of the archpriest had not been schismatic and confessions heard by them since then need not be repeated. The form of the ruling, recorded by the Appellants themselves,¹¹² shows that the relation forwarded by Phelippes to Cecil was accurate: the pope and cardinals meant their ruling to be no more than a repetition of points settled in the brief of August 1601, and firmly directed that there be no further publicity about the matter. Yet the Appellants’ victory cries, which Persons was complaining of as early as 13 April n.s.,¹¹³ were echoing throughout Europe; the Appellants’ elated boasts about the April ruling are mentioned in six successive Rivers letters from 2 May to 11 July. Lord Henry Howard wrote to James VI of Scotland, on behalf of Cecil, around the end of April: “sentence is given in Rome on the side of the seminarists that they were neither *schismatici* nor *inobedientes* in forbearing to submit till they saw warrant by Pontifical authority, and all their spiritual acts, till the coming out of the brief [of 6 April 1599 n.s.] have been justified, as they term it, *ore apostolico*, which hath put all our Jesuits and their friends into a fever.”¹¹⁴ In an article published in 1965, John Bossy treated the ruling as the substantial disposition of the whole appeal, a “nasty setback for Fr Persons . . . and for the Spaniards who were supporting him.”¹¹⁵ The purpose of the relation delivered to Cecil was surely to meet such spin with spin, or at least with a sobering view from Rome.

Persons’ authorship of this 27/17 April relation is inferable from its postscript reference to “a new book lately imprinted and to come for England,” of which there “is as yet only one of them in England.” The postscript’s exact description of the title, the chapter headings, and the size and length of the book precisely fits the published edition of the *Manifestation*, indubitably Persons’ work. If, as is thus likely, the book was already set in type in Antwerp and a proof had reached Persons in Rome by

111. SP 12/284/4, Phelippes to Cecil, 4 May 1602, enclosure.

112. Law, *Archpriest Controversy*, 2:193–94; also 11 (Mush’s diary for 15 April 1602 n.s.), and 146–47 (letter from the Appellants dated 15 April).

113. Mush’s diary for 15 April n.s.: “They [the two cardinals] were offended also with us, for that our adversary Parsons and his had told them we cried all over the City, *victoria, victoria*, which was a mere calumny, and so we told the Cardinals, but they seemed not to believe us, but Arigone said we on both sides were terribles”; Law, *Archpriest Controversy*, 2:11.

114. *The Secret Correspondence of Sir Robert Cecil with James VI* (Edinburgh, 1766), 71–72, 85.

115. Bossy, “Henri IV, the Appellants and the Jesuits,” 85; he summarizes it as “a statement exonerating them for their conduct in England and by implication censuring the Archpriest,” and seems to attribute it to “a period of intensive lobbying on Béthune’s part.”

27 April n.s., the writing must have been completed not long after mid-March.¹¹⁶ In any case, whatever the significance of the remark that there is “as yet only one” in England,¹¹⁷ only Persons himself or his close circle could have dispatched news of the book or the book itself to or toward England.

In the relation of 27/17 April, Persons addressed Cecil privately and very purposefully. The pope, in responding (on 10 April n.s.) to the Appellants’ “great instance to be delivered from the note of schism and rebellion before the coming of the first Brief,” had merely “remitted himself to his second Brief.” The Appellants in Rome are disowning all the Appellant books (save the two Latin ones of May 1601), are prepared to subscribe against all the propositions taken out of them for examination in Rome—propositions that will undoubtedly be condemned—and are denouncing Watson (the editor of all the books issued in late 1601) as someone just as fit for hanging “as Martin Marprelate was.” And “seeing that these men here do detest those propositions already that were written in favour of Protestants, I marvel what my Lord of London will gain by them at the last.” Harsh Puritan criticism of Bancroft “about the Praemunire, for favouring an appeal to Rome,” really strikes at “some more potent than he.” (Cecil will have taken the point.) The proposals being promoted by the Appellants in Rome “require a good number of Catholic bishops to be made instead of this Archpriest.” Can this, or their alternative of six archpriests, really be more satisfactory for “their patron Bancroft” or for the state, “than one poor quiet archpriest who troubles no man”? In Rome people are laughing at the Appellants’ worldly ambition to be involved in government, and at their want of insight in such matters.¹¹⁸ Don’t expect the matter to end soon; the pope is inclined to have it “ripped up from the bottom.” This very day, Mush declared to the curia that he “would willingly subscribe against the propositions taken out of those foresaid books, and moreover that recently he had received advices from their followers in England that all the Appellants had disclaimed the said books”; he “spoke much against Watson.” In short, the Appellants should be regarded by Cecil as fractious, unreliable losers. Bancroft’s initiative in sponsoring their polemical publications would frustrate whatever other political objectives the English government, not to mention the French, may have had in the appeal to Rome.

The letter of 27/17 April is skilful advocacy; it contains no detectable misinformation or significant suppressions of salient facts, but brings forward much that might be likely to chill the English government’s enthusiasm for its Roman project.

116. Using the six-week back-dating rule of thumb suggested in n. 79 above, this would fit in with the book’s fiction (e.g., fol. 92r) that news of the Appellants’ arrival in Rome has not yet reached the priest-authors in England.

117. Perhaps it signifies that a proof copy is being sent in to Garnet and Sterrell for their perusal. When the book was about to be put into circulation in England in June, Rivers/Sterrell tells Persons that “I think England hath yet but one”; Rivers to [Persons], 2 June 1602 (West. vii, no. 45, 241).

118. Rivers picks up this theme in his letter of 2 June (West. vii, no. 45, 241): “I have seen their propositions for Bishops, Archpriests, Assistants, Sindixes *et quid non?* *Spectatum admissi risum teneatis amici?*” The quotation (“If you were given a viewing [of such a hybrid], my friends, could you help laughing?”) aptly recalls Horace’s polemic against disordered art at the beginning of *Ars Poetica*.

Persons understood well that Bancroft was his principal antagonist in the pamphlet war, and he was tussling with Bancroft by passing letters to Cecil. Very shortly Phelippes will pass on to Cecil a copy of the *Manifestation* itself, a book that marks Persons' strategy of direct diplomacy.

In response to this letter from Persons, Sterrell provided more information that could be used against the Appellants in Rome. As Persons' letter and the *Manifestation* itself showed, one of the contentious issues was whether the Appellants and their associates were engaged in schism, undermining the church by publishing pamphlets against their superior and their fellow priests. The Appellants in Rome denied involvement in most of the pamphlets. The copies of pamphlets that Rivers sent and his letters provided confirmation from London that it was well known that the anti-Jesuit and anti-archpriest tracts emanated from the Appellants. On 5 May, the day after Phelippes gave Cecil a copy of the 27 April letter from Rome, Rivers/Sterrell wrote to Persons:¹¹⁹

The Bishop of London, all the Protestant and Puritan clergy in their sermons and exercises publicly vouch those books as written by the Priests and not one of them has ever openly contradicted the same. And thus much more I can say, a man of good credit¹²⁰ told me within these 2 days that a clerk of the Council had related unto him, that the Bishop of London has the hands of all such Priests as repaired at any time unto him or went under his protection, to all the books and to most of the pages of the same books subscribed, and albeit he seems assured that this is true, yet for my better satisfaction he has promised me within few days to be an eyewitness thereof himself. Bagshaw, Bluet, and Champney are undoubted of this number, and Mush is thought the author of some of them.

Bluet, Champney, and Mush, as Sterrell knew, were the very priests in Rome denying knowledge of the books, and Bagshaw was supporting them from Paris. Sterrell subsequently attributed specific pamphlets to Bagshaw, Bluet, and Mush, respectively.¹²¹ Such information was credible evidence Persons could use to accuse the Appellants of lying, hypocrisy, and even schism. It should be remembered that the four

119. Rivers to Perino, 5 May 1602 (West. vii, n. 42, 235–36). In his letter of 7 April 1602, Sterrell had written: “I wonder with what face they can deny many of those books to be theirs, here are many hundreds that can aver they here published and dispersed them, justifying the contents, and in that regard none so busy as Bluett, in deed when the *Quodlibetts* appeared, some of the modester of that crew began to their familiars to disclaim such books, albeit all such as have dependence on them had all their libraries furnished with the 12 volumes” (West. vii, n. 35, 211).

120. Rivers may well have meant to imply that the “man of good credit,” speaking to a clerk of the Council, was the letter writer himself; Sterrell was a long-time associate of Waad, clerk of the Council (but was always acting as a double agent, using his good credit with government officials to free imprisoned Catholics and participate in correspondence with Catholic exiles).

121. See n. 101 above.

in Rome purported to represent the other seculars in England and could not simply disavow the books as not coming from themselves.¹²²

Sterrell related to Persons that Watson's behavior was becoming scandalous.¹²³ His ostentatious appearance in public, wearing a plumed cap and leading an entourage of two men and a page, was quite unseemly for a priest:

Watson continues in good grace with the Bishop of London as being his ordinary guest, and under his protection walks seemly braving it out, with a great feather in his hat and 2 men and a page at his heels. A gentleman, a schismatic something affected to the Appellants, and an approver of their writings, chancing of late to have a sight of Watson, whom he knew not before, was so much moved thereby, that he disavowed presently [immediately] all good concept of them and their writings, and retiring to his chamber wheresoever in the books he found *W.W.* he subscribed *Knave Watson*, and will not now endure to hear them well spoken of, saying that nothing could have prevailed with him so much as the uncivil behaviour of so unpriestlike a man, who notwithstanding takes upon him the chief protection of the cause.

More Roman News for Cecil

The next intelligence that Phelippes passed on to Cecil accompanied a letter of 4 June 1602.¹²⁴ Phelippes says he is enclosing "what has passed between themselves, and the substance of what is come from Rome touching the Appellants' proceedings"; headed "A note about the proceedings of the English priests at Rome that call themselves Appellants," it is a letter beginning "Good Sir." The date at the end, 25 May 1602 n.s., implies another abnormally fast transit from Rome. This relation is acknowledged in due course by Rivers/Sterrell: "I have now received two of yours the 25th of May and 15[th]

122. On 7 July 1602 Sterrell gave his most authoritative summary of the provenance of the Appellants' books: "The Bishop [of London] avers to many his friends (since he heard that the Appellants at Rome deny the books published here in their names) that most of these books were written before they went, and that he has their hands to every page of the same, and this he means to publish to the world as soon as he shall hear that they are departed from Rome; before he pretends he may not do it, lest they might there be punished; in the mean, to satisfy his friends, he invites them [his friends] to his house, promising to make them eye-witnesses that it is true, and this he promised to a man of good worth of late, who knows it to be true and would depose it if he were present [i.e., in Rome]; he will take opportunity to see it within few days, and then you shall hear more, only it may not be justified *in publico*, lest danger follow."

Rivers to Perino, 7 July (West. vii, no. 50, 254). At the end, he adds: "The Bishop of London told a friend that he had not only their names to all the pages of the books, but also a particular note under the hand of the principal of that company, directed to one Smith, a priest to whose care the print was committed, desiring and requiring him that whatsoever treatise were brought him, with his hand subscribed, it should immediately pass the press without any further censure or examination, and this supposed to be Bagshaw to Colleton."

123. Rivers to Perino, 26 May 1602 (West. vii, no. 44, 239).

124. SP 12/284/25, 4 June 1602, Phelippes to Cecil, with 15/25 May 1602 letter from Rome.

of the last [June], the continuance of the relation from the 27 of April till the 25th of May.”¹²⁵ Four copies of this relation exist: (1) a corrected draft preserved in Persons’ Roman papers;¹²⁶ (2) a fair copy, kept in the same papers;¹²⁷ (3) another fair version, preserved in the State Papers along with Phelippes’ note to Cecil; and (4) a version, also preserved in the State Papers, in the same hand as the surviving relation of 27 April, a hand that is probably Sterrell’s.¹²⁸ When these versions are collated, we have the entire system virtually laid out before us: Persons’ draft and fair copy in Rome (each addressed simply “Good Sir,” without identification of writer or addressee), the copy sent in the Jesuit packet to London, and the copy made and filed by the responsible intermediaries, Phelippes and Sterrell—one or other of the last two mentioned being the version transmitted to Cecil.¹²⁹ When T. G. Law said he had the evidence in Persons’ own hand, he was referring to items (1) and (2), taken no doubt with item (3), and though none is likely to be in Persons’ hand,¹³⁰ they certainly proceeded from Persons. The true recipient addressed by Persons was always meant to be the very man whom it thus reached.

125. Rivers to Perino, 7 July 1602 (West. vii, no. 50, 253; passage not in Foley, *Records*, 1). Rivers adds: “I have by my cousin’s [Garnet’s] order communicated to many friends, to whom it yields great consolation, especially for that, nothing coming from you by the space of a month and more, and many boasting rumours being reported and divulged of [by] the adverse party, best meaning friends were much dismayed; this has solved all, and it will be to good purpose that we may more often hear from you of these and other your proceedings in that affair” (passage not in Foley, *Records*, 1). We infer that at Garnet’s request, Sterrell communicated to concerned Catholics (including, if not mainly, crypto-Catholics) not the relation itself but information meant to be consoling about the difficulties confronting the Appellants in Rome.

126. Stonyhurst MSS, Anglia A.iii. fol. 13 (modern fols. 20–23). This is clearly a draft, with deletions and interlineated changes. The version of the note in *Tierney-Dodd*, 3:clxvi–viii, cites this version, which Tierney designates “Persons’ rough draft.”

127. Stonyhurst MSS, Coll. P ii. fols. 450–52 (modern fols. 133–35). This is the fair copy, with the same content and evidently in the same hand as SP 12/284/25i; see n. 130 below.

128. SP 12/284/25ii.

129. It is not possible to say with certainty whether Cecil received the Roman version (3) now SP 12/284/25i, or rather the Sterrell copy (4), now *ibid.*, no. 25ii. Doubtless one of the two was found in Phelippes’ papers and linked by the Public Record Office or the *Calendar* with the other.

130. Francis Edwards thinks it is “more likely Richard Walpole’s” hand than Persons’; *Robert Persons*, 271 n. 42. Christopher Grene, SJ (1629–97), who made the *Collectanea* in the late seventeenth century, said that Persons and Walpole had similar handwriting; *ibid.*, 267 n. 26. Like Foley, we suspect that the hand is that of Nicholas Smith, another English Jesuit working with Persons in Rome in 1602. Rivers/Sterrell writes on 7 April 1602 (West. vii, no. 35, 211): “I have at this present received from you both your letters of the 9th and 14th of March together, written by the hand of your brother Nicholas” (passage not in Foley, *Records*, 1). On 5 May Rivers writes (West. vii, no. 42, 235): “I do think myself much beholding to you [Perino/Persons] and your brother Nicholas for the good comfort you give us by imparting the proceedings of the Appellants with you.” Fellow Jesuits were termed brothers in such correspondence. On 2 June (p. 241) Rivers writes: “I had now from your factor Nicholas a letter but without date, written, as it should seem, when Sr. Marco was at Ostia.” On 9 June (p. 247) he writes: “yours of the 19th of the last coming safely to my hands, I could not omit the opportunity, nor leave so good a friend unsaluted, humbly thanking you and your factor Sr. Nicholas who in your absence, by your order, hath in brief made known unto us the estate of our cause so long in suit, whereof we should be glad to hear of some final sentence.” (No message from Rome dated 19 May 1602 n.s. seems to have survived.)

This relation of 25/15 May tells a story much like Persons' anonymous relation of 27/17 April. It begins by referring to "my last of 27 April," and into its account of the Appellants' difficulties is inserted the news that "Fr Persons has been forth from Rome, for the most part, since I wrote my last." Not meant to be genuine correspondence, the letter of 25 May n.s., like every other letter, "note," or "relation" in the series, names no one as writer or as the recipient it addresses as "Good Sir," but was written, or dictated, by Persons himself, as an imaginary English bystander in Rome writing for the benefit of an imaginary correspondent, with the purpose that it be given to Robert Cecil in London to provide him with a downbeat assessment of the Appellants' fortunes in Rome. The letter indicates that the Appellants are not faring well. The pope had commanded the Appellants' books to "be censured by the inquisition; which censure is expected shortly to come forth authentically. In the mean space, both his holiness and all others do see the propositions to be most wicked and heretical, nor is there any doubt of their condemnation." The writer recounts a presentation of two Appellants to the pope's representative, Cardinal Borghese, who did "wonder to see such spirits among us." Yet the Appellants in Rome were denying that they sought to remove the Jesuits from England: "their course *here* [is] *far different* (as it seems) from [w]hat they hold there with you. And, further, it is noted that, whereas, in their said books, the greatest subject of all their invectives is father Persons, here they have not hitherto so much as named him in all their writings given up." The message was clear: the four Appellants were not keeping their promises to Bancroft, Cecil, and the Privy Council.

☞ A Book Is Delivered to Cecil: Persons' *Manifestation*

The news "letters" from Persons to Cecil were soon complemented by delivery of a book to Cecil with an approach conformable to the letters. Probably in mid- or late June, Phelippes sent Cecil an undated note saying he has not heard from the men on the other side since last he saw Cecil, but is sending Cecil a book "whereby you will see that our seculars are miserably overmatched when it comes to writing. I must crave leave, so soon as I can be at fit leisure for it, to publish somewhat for the clearing of that point, page 43, which I have folded down; being myself also by name most spitefully and falsely touched in that pamphlet of Southwell's about that matter."¹³¹ The book "now come abroad" was the *Manifestation*, which on page 43 recalls that Southwell in his supplication to Her Majesty "did also signify that Mr Walsingham had entertained for divers months the knowledge and notice of that [Babington's] association as it is most certainly known that he did by the confession of divers that dealt with him therein, and thereby also most probable that the poor gentlemen were drawn thereunto [the Plot] by his [Walsingham's] malice and craft." The "pamphlet," Southwell's *An Humble Supplication to Her Majestie*, written in late 1591, was critical of Phelippes' role in the events surrounding the Babington Plot, but it was published only in late 1600 by the arrangement of the dissidents as part of their struggle with the

131. Hatfield Papers, 12:555.

Jesuits.¹³² As recently as 19 April 1602, two men had been executed for this Appellant publishing venture, as Rivers/Sterrell recounted to Persons on 28 April 1602:

[A]t the same time was also arraigned one James Duckett a layman as a felon for divulging a book written by Mr Southwell in answer to the Proclamation [of 1591], being of this accused by one Bullock a stationer that had concurred to the printing of the same.

Sterrell describes the overbearing of the jury by the Chief Justice and gives what seems to be an eyewitness account of the execution and of Duckett's edifying death.¹³³ The Appellants' sponsor, Bancroft, had evidently not bestirred himself to save these pawns in the game.¹³⁴ Phelippes' show of self-interested indignation in delivering Persons' appeal to the noble members of Privy Council seems calculated to arouse Cecil's interest in the book's wider concerns.

In *A Manifestation of the Great Folly*, Persons shifts tactics radically. To the curia, of course, he will continue to emphasize the malign purposes of queen and Council. But for English audiences, Persons will now represent Cecil, and many of the others with whom the tumultuous priests are dealing, as “very wise and discreet men, and of no evil nature or condition.”¹³⁵ Indeed:

[W]e are so well persuaded both of the great wisdom and most honourable disposition of the Lords of Her Majesty's Council, that seeing these people [Appellants] to proceed in passion, as they do, and there-upon to betray their own side, they will little esteem or believe what they say or do on any side.¹³⁶

Persons' audience, the object of his persuasions, has shifted so as to include Cecil and other Councillors, if not Bancroft. Persons flatters the Privy Councillors with his confidence that, being wise and discreet, “they will easily discover the great and strange

132. Southwell had spoken respectfully of the queen and of loyalty to her; the Appellants said this was precedent for their actions with the English government. Phelippes' note alludes to Bishop Bancroft's sponsorship of the seculars' pamphlets and questions the wisdom of the policy: “I hear say the Bishop of London's workmen [Catholic priests] are busy about somewhat touching that matter. I could wish they were not permitted to publish anything without survey of those that know more than themselves.”

133. Rivers to Perino, 28 April 1602 (West. vii, no. 39, 224).

134. On 5 May 1602 Garnet tells Persons (Stonyhurst MSS, Coll. P, fol. 547) that “Collins was hanged for printing it [Southwell's *Humble Supplication*], but sorry that he had not known the [archpriest's] prohibition [on publishing the *Humble Supplication*]. James Duckett was hanged for divulging it, though he were on the malcontents' side, and *they in vain sought to save them and had for the effect Sir John Stanhope's letter*: but James died well and asked forgiveness of Customer [the archpriest] and Journeyemen [the Jesuits in England] for adhering to the malcontents” (emphasis added). Stanhope was a Privy Councillor of good anti-Catholic credentials, but what was lacking was something from Bancroft—even though not a Privy Councillor—or his patron in such matters, Cecil.

135. *A Manifestation*, 78r.

136. *Ibid.*, 39r (misnumbered 40).

passion of these men together with their intemperate spirit, and that they do not this they do or say for any love towards them, but for revenge towards us; not of judgment or affection, but of envy and precipitation.”¹³⁷ Persons here elaborately recalls the story of Constantius (father of Constantine), who on becoming emperor delivered an edict requiring Christians in his service to sacrifice to the gods, offering rewards to those who would comply and dismissal and disgrace to those who would not; but when some of the Christians came to him with flatteries, offering to comply, he considered things more deeply and had the flatterers thrust out of court, summoning those who had conscientiously refused back into his service. For “how can they keep their faith inviolate towards their Emperor (saith he) that are convinced to be perfidious toward God?” This is, says Persons, “a worthy wise example, which our English magistrates cannot but remember and think of.”¹³⁸ The Appellants brag that the prince and state are considering toleration at the Appellants’ demand, but “knowing the gravity, honour, and wisdom of our Council as we do,” Persons is confident that when the time comes for toleration the Council will deal with “other manner of men of the Catholic party than these, who being divided from the rest, that is from the body, head and principal of that cause, can have little credit to treat or set forward any such weighty affair in the name of the rest.”¹³⁹ In these words Persons in fact sketches the rationale for his plan to influence the mind of Cecil and other Councillors by another, more direct and intimate route.

Persons had more than once addressed his pseudonymous publications to the members of the Privy Council, most recently in 1599, when the almost lyrically eirenic finale to his *Temperate Ward-word*, envisaging a joyful peace of toleration, spoke as it were directly to them, not without discreet flattery.¹⁴⁰ *A Manifestation*, as we have seen, similarly flatters and supplicates, but does so without direct address. The epistolary relations from Rome, commencing about the time he finishes *A Manifestation*, also flatter their covertly intended recipient, Cecil, by cultivating the pretense that the strategy of promoting the doomed appeal is simply Bancroft’s. Persons had sly words of reproof for his antagonist, Bancroft, in the midst of a description of the Appellants’ “bookmaister,” William Watson, who was now performing “under the direction of my L. of London”: “we cannot but marvel (being otherwise of that judgment and temperate nature which some men report him to be) that ever he would use so base and absurd an instrument as this fellow is, having been taken in so many trips [missteps] as he hath.”¹⁴¹

When did Persons begin *A Manifestation*? It is an answer to six books by Appellants, the first five of which were published in England in the three months September to November 1601. In his Rivers letter of 22 December, Sterrell says: “Four new books

137. Ibid., fol. 78r.

138. Ibid., fol. 78v.

139. Ibid., fol. 79r.

140. N. D. [Robert Persons], *A Temperate Ward-word, to the Turbulent and Seditious Watch-word of Sir Francis Hastings*... ([Antwerp], 1599), 121: “The persons also and qualities of the parties with whom this atonement is or were to be treated, are such as do greatly facilitate the enterprise [of religious reconciliation and reunion], and confirm the hope, that all men have of good success.”

141. Persons, *Manifestation*, 83r.

which you have not seen are on their way towards you; now we have here two more, viz. the first tome of Mr Watson's *Quodlibets* in his mother tongue, containing well near 40 sheets of paper in quarto, wherein he promiseth ten other as big volumes of like tenor. And another book set out by one Anthony Copley gentleman, full of apparent falsehoods and slanders." After further unflattering commentary on them, he adds: "I shall send these by the first opportunity." The most natural inference is that the first set of four (doubtless *A True Relation of the Faction begun at Wisbech, Important Considerations, A Sparing Discovery of our English Jesuits*, and *A Dialogue between a Secular Priest and a Lay Gentleman*) were dispatched sometime before the date of the letter, but not by so much that the writer imagines they have reached Persons on 22 December: so, up to three weeks earlier. On that basis, the earliest they could have reached Persons is the first week of January 1602 n.s.¹⁴² The writing of *A Manifestation* probably began, then, sometime in the weeks preceding the arrival of the four Appellants on 14/4 February; and as it happens the book, maintaining the fiction that it was composed in England, professes not to know whether they will ever arrive in Rome (though noting their presence in Paris). Persons probably changed tactics in the first few weeks of 1602. As part of this shift, he may well have decided to take on the feat of corresponding directly, albeit anonymously, with Cecil.

The speed with which the *Manifestation* was written, sent from Rome, and received in England is an extraordinary feat. As Sterrell's letter of 22 December 1601 would indicate, Persons did not have Copley's book *An Answer* and the Englished version of Watson's *Quodlibets* before mid-January 1602. Yet the *Manifestation* discusses them in considerable detail and appears to contain information supplied by the Rivers letters. There is no reason to think that Persons had earlier access to a copy of either book from another source. Portions of the *Manifestation* were written in late January or in February 1602. Persons refers to "the four priests which are said to be in Paris" and identifies three of them by name;¹⁴³ he speaks of the time "when they shall have spent in Paris the good sommes of money which they carried out of England with them."¹⁴⁴ By 27 April it appears that the book has been set in type, apparently in Antwerp, and it is in the hands of Cecil in London in June.

More "Intelligence" to Cecil

On 30 July Phelippes resumed his transmission of Roman papers; he sent Cecil two separate packages, each with its own covering note.¹⁴⁵ The first note enclosed a resumé

142. On 3 March (West. vii, no. 29, 197), Rivers/Sterrell writes of problems finding "good means for the transporting, whereof many times we have great difficulty, and that may be the cause that you had not the *Quodlibets* and such like with so great celerity as you desired, whereof notwithstanding both my cousin [Garnet] and my self had special care and omitted no industry till we had remitted of each sort four, to the end you and other friends might have full notice of the contents." (Not in Foley, *Records*, 1.)

143. Persons, *Manifestation*, 70r.

144. *Ibid.*, fol. 80r.

145. SP 12/284/88, 30 July 1602 (*CSP Dom. 1601–1603*, p. 227), Phelippes to Cecil, with abstract of SP 12/284/251; SP 12/284/89, 30 July 1602, Phelippes to Cecil, with 23 June 1602 notes of the proceedings of 27 April and 25 May and references to letters of 22 June and 6 July.

of the 25/15 May relation with a new addendum dated 15 June n.s., reporting that the story in a Roman gazette of 1 June, on the inclination of the queen and Council toward religious toleration, had been widely believed but then discredited by news from England of the latest martyrdoms. Phelippes' second note enclosed "such occurrents as came to me by this post from Antwerp": these took the form, not of any paper likely to have come from Antwerp, but of two tall sheets in (we think) Sterrell's hand. The first sheet and half of the second transcribes a relation "[a]bout the affair of the Appellant priests in Rome, the 23 of June 1602 [n.s.]," and begins by saying that "you have received . . . two notes at least, I think" about the Appellant proceedings "here in Rome," "the one of the 27th of April, the other of the 25th of May." (It is also mentioned that "I wrote" about 15 days ago sending a copy of the gazette, or weekly advices, of 1 June.) The present note "is like to be the last before the decision of the matter." It repeats that the news of "the death and martyrdom of three priests in London and one in York, with some other laymen" had put an end to the rumours and prospects of Her Majesty's reconciliation to the Roman Church, rumors now discovered to be "but a device to give some credit to the Appellants about their authority with the Queen and Council"; it was now clear that they have no such credit or authority, and "that your Mr Bancroft there doth but abuse them and their fellows and will leave them, I fear me, all bankrupt in the end if they leave not him first." The recent martyrs have achieved the happiness of heaven through "this kind of juggling of others against them."¹⁴⁶ Cecil would have noticed, as we do, that the Roman note placed the onus on Bancroft.

The remainder of this relation of 23/13 June describes the course of proceedings in the appeal, emphasizing once again both how displeasing to the state are the Appellants' proposals for involving a multitude of priests in the government of the Catholics in England, and how imminent and severe is the expected judgment of the Holy Office against the Appellants' books:

146. Thus the news that Sterrell had sent to Persons on 28 April 1602 returned to England; see text at n. 133. Sterrell had written to Persons of the martyrdom of three priests, Francis Page, Thomas Tichborn, and Robert Watkinson, executed together on Tuesday, 20 April 1602. News of these executions and the queen's personal approval was sufficient to dispel any notion that the Appellants represented a move toward toleration by the English government. A narrative of the Appellants' Roman proceedings, written in early October, possibly by Bluet or Barnaby, said of Persons that it may "be noted with what gibes, and merry taunts he maketh mention of the Queen of England for that two or three [priests] were put to death during the abode of the priests at Rome"; Law, *Archpriest Controversy*, 2:39. Rivers/Sterrell's 28 April letter to Persons said that men of good knowledge gave two reasons—each relating to the Appellants—why the government undertook the sudden persecution in the spring of 1602 (p. 225). First, the state wished to show the falseness of the Appellants' assertions that the government was inclined to toleration and to demonstrate that the Appellants were not employed to this end by the government. The second ("and most important") reason was that the Puritans were disturbed by the closeness of the bishop of London to Watson (the most visible dissident) "and others," and so to prevent "actual rebellion" by the Puritans the priests were executed. Sterrell carefully laid responsibility in any event upon the queen: "Howsoever this much I am assured of, that the Chief Justice the day before their execution going to the court to know the Queen's pleasure, she willed him to proceed, adding that she beshrewed his heart if he spared them or any other of their coat [religion]." Sterrell's expeditious and vivid account of the arrests and executions deprived the Appellants of their claim to be a vanguard of a policy of toleration.

In the end either they and their fellows will be found to have had part in these books, or this all will fall upon Mr Bancroft of London to have feigned them of himself—and then will both Catholics and Puritans have just cause to write against him, the first for forgery, the second for apostasy; and already we hear say that some pens are walking against him on both sides; and in the end it is thought he will get little by this new stratagem.¹⁴⁷

By placing the expected opprobrium for the Appellants' failures upon Bancroft, Persons invites Cecil to dissociate himself from the Lord Bishop.

The second page of Sterrell's transcripts also gives short excerpts from letters “from Rome” dated 22 June and 6 July n.s. The end of the appeal is drawing near. The Appellants, whatever they are writing to England, will in the end have the confusion “they deserve by propounding of so bad a course to the dishonour of the nation and the Catholic cause.” There are two jabs at the factual reliability of Father John Colleton's *A Just Defence of the Slandered Priests*, the most responsible of the Appellant books put out during the appeal.

All but the earliest one of the four Roman papers in Phelippes' transmission of 30 July are acknowledged distinctly in a Rivers letter to Persons just two days earlier.¹⁴⁸ Rivers comments on the relation: “I think it will be to good purpose, that their [Appellants'] Protector [Bancroft] have a cooling card, he is grown to[o] to[o]¹⁴⁹ insolent, railing at Jesuits beyond truth or modesty.” This comment itself suggests that the relation is to go to Cecil, whether or not it will go from there to Bancroft; playing or dealing a cooling card dashes the hopes of one's opponent, and one object of the Persons-Sterrell enterprise is to detach Cecil from Bancroft, and discredit if not dampen Bancroft's anti-Jesuit fervor and pro-Appellant machinations. Perhaps the “cooling card” was effective; in a letter of 1 September, Sterrell says “it is observed that my Lord of London is of late much altered from his wonted vein of railing at the Jesuits, and would seem indifferent to them; whatsoever the matter is, it may be the touch of forgery and apostasy that sticks in his stomach.”¹⁵⁰

☞ The Pope's Brief

The transmission to Cecil on 21 August¹⁵¹ consists of the usual apparently hasty note from Phelippes dealing with various intelligence matters and offering, along with other enclosures, another account of the Roman affair. This time there is nothing in

147. SP 12/284/89i (CSP Dom. 1601–3, p. 229).

148. Rivers to Perino, 28 July 1602 (West. vii no. 54, 269): “My very dear Sir, I have received yours of the 22th [sic] of the last [June], and 6th of this present month [July] together, wherein you acknowledge other two of mine; many more are either by this arrived with you, or well on their way towards you. . . . I have seen the continuance of the relation till the 23 of June, as I did the two former [i.e., 27 April and 25 May]” (emphases added). (Passage not in Foley, *Records*, 1.) So the reason Phelippes sent two transmissions to Cecil on 30 July was not that the Antwerp post arrived that day.

149. See n. 93 above.

150. Rivers to Perino, 1 September 1602 (West. vii, no. 59, 282).

151. SP 12/284/106 with 106i (CSP Dom. 1601–3, pp. 235–36).

Sterrell's hand, however,¹⁵² and no comprehensive "note" or "relation, but rather, in Phelippes' own hand, "an extract of such letters as came by the last post"—namely, letters said to be dated 3 and 10 August n.s.¹⁵³ This was the climactic period in the proceedings in Rome, and Persons had stepped up his letters to one a week; he sent one on 17 August n.s. to Rivers,¹⁵⁴ too late to be included in this transmission to Cecil.

The extracts are brief. The first letter had recounted minor but telling discomfiture of the Appellants in Rome. The 10 August letter reported what would prove to be the essential resolution of the whole appeal, a "copy" (that is, a draft) of a "decree," given out by the Holy Office to the parties (recording the decision of the cardinals on 20 July n.s., approved by the pope but subject to further comment and argument by the parties). The Appellants "have obtained none of their demands." The summary, whether by Persons or Phelippes, is in five terse points: "1. the Archpriest is to continue his office as before, without any other associated unto him; 2. the Fathers of the Society are not for any their [the Appellants'] pretences to be called out of England; 3. all the seminaries are to be governed as before; 4. all their [the Appellants'] books are condemned; 5. they must not deal any more with the Council or others in authority in prejudice of their companions." The Appellants have, however, obtained restitution of their faculties, with "certain admonitions to the Archpriest to deal with them more respectively for the time to come, and I know not what else about his not conferring so much with the fathers [Jesuits]—and this at the fathers' special instance and request." The summary of the curial judgment is accurate enough, aside from the reference to restitution of faculties in fact declared never to have been lost. It plays down, without suppressing, the points lost by the archpriest and the Jesuits. But it is fair in implying that the Appellants not only lost five of the six points in their own formal statement of claim,¹⁵⁵ but also lost ground with respect to their own books and conduct.

Sterrell, too, had stepped up the pace of the Rivers letters, so far as was consistent with his duties as Worcester's secretary: between 7 July and 22 September he sent Persons, he says, "many" letters—five at least—"having of late omitted no opportunity that was offered, as being ever ready to yield you the best offices I am able."¹⁵⁶ The letter

152. See n. 156 below.

153. In the letter to Perino/Persons of 25 August (West. vii, no. 57, 275) Rivers says, "I have now yours of the 27th of the last, and shall be glad to see your old friend's [i.e., Blackwell's] resuscitation when it may be found; this arrived in fit time to check an asseveration of the Appellant party that they and their books were freed from all censures by the Inquisition, but it was not their first untruth" (not all in Foley, *Records*, 1). In the letter of 14/4 September discussed below, Persons says he sent letters on 1 and 8 August; despite the two-day discrepancy these may be the ones from which Phelippes and Sterrell extracted the notes.

154. See Rivers to [Persons], 22 September 1602 (West. vii, no. 61, 285; passage not in Foley, *Records*, 1).

155. See text at n. 44 above.

156. Rivers to [Persons], 22 September 1602 (West. vii, no. 61, 285; passage not in Foley, *Records*, 1). There is no letter between 7 and 21 July, or between 28 July and 25 August: on 28 July he reports (p. 270) that "this day the Queen appoints to begin her long progress to Bristol... not to return to these parts before October," but on 25 August he records (p. 275) that "the progress of Her Majesty was soon at a stay... passing further into Oxfordshire, the weather and ways proving foul, and the country murmuring to be hindered from their harvest business, by persuasion of some of the Council she suddenly

of 22 September implicitly acknowledges, however, that the main battle in Rome is over: “We wish you had once a good end of your troublesome suit; I shall forbear to send you any more such evidence, as you direct. Due commendations and all good wishes. All your brethren and friends are well, the customer [archpriest] extreme melancholy.”¹⁵⁷ Both in Rome and in London little more remained to be done but to publish the edicts that would dispose of the case—first the papal brief, dated 5 October n.s. (but not received by the parties until 12/2 October), and then the royal proclamation of 5/15 November. Even seven weeks earlier, the proclamation’s terms were known to Sterrell, and he had communicated them to Persons on 16 September, using the Rivers hand and methods but a pseudonym unique, perhaps, to this occasion.

A transmission by Phelippes to Cecil, on 3 November, may have been a trigger for Elizabeth’s proclamation two days later. Phelippes explains the long gap between 21 August and 3 November by saying he has been “abroad” on vacation. His note to Cecil says, in a postscript: “The Breve is looked for daily in authoritative form.” Enclosed is a relation from Rome, transcribed in Sterrell’s hand, and dated 14 September n.s., bringing the account up to date since “my former letters of the first of August and also . . . an addition of the 8th.” Once again, the Roman draft of this relation has survived.¹⁵⁸ The relation gives a fairly elaborate account of the cardinals’ provisional decision of 20 July n.s. (communicated in draft to the parties on 9 August n.s.), and of the arguments presented by each side in the effort to win favorable modifications; an assessment of which arguments are likely to succeed is given. Receiving this relation on 3 November, and knowing that the definitive brief is imminently expected to reach England, Cecil may have judged its account a sufficiently trustworthy basis for his final assessment of the matter and for his decision to issue the proclamation of 5 November, before any copy of the brief had reached England.

Elizabeth’s (Cecil’s) Proclamation

The proclamation of 5 November 1602 withdrew the government’s support of the dissident Catholic priests. It condemned both them and the Jesuits and made clear that

returned to a standing house at Oatlands, and so continues.” As Persons would well understand, Sterrell as aide to the Master of the Horse (principal organizer of a progress) would presumably be required to accompany the queen’s progress away from London, and this is doubtless the reason why after the mid-year many if not all Persons’ relations of affairs at Rome are directed to Garnet rather than Sterrell, and why the Roman news forwarded to Cecil on 21 August is in Phelippes’ hand, not Sterrell’s.

157. Rivers to [Persons], 22 September 1602 (West. vii, no. 61, 286; passage not in Foley, *Records*, 1).

158. Stonyhurst MSS, Anglia, iii, no. 22, in the same hand as the draft relation of 25 May n.s., and headed: “Concerning the business of the Appellant priests in Rome from the 1 of August until the 14 of September.” This draft has a number of interlineations and deletions, including the scoring through of nine whole lines near the end. Cecil had other reports of the proceedings in Rome up to late August, from two of the principal backers of the Appellants in Paris, Charles Paget and James Hill. Paget reported to Cecil that Persons and Fitzherbert had written to Hugh Owen about the Roman proceedings, and he summarized what Persons and Fitzherbert had said in their presumably intercepted letters to Owen; the points are similar to what Phelippes had just passed on to Cecil. SP 12/285/6, 15 September 1602, Charles Paget to Secretary Cecil; SP 12/285/7, 15 September 1602, James Hill to Secretary Cecil. Hill’s letter is of the same date as Paget’s and speaks of an enclosure that is not identifiable in the State Papers.

there would be no toleration for papists.¹⁵⁹ A draft of the proclamation survives “with considerable differences” and “much corrected by Cecil.”¹⁶⁰ Based on Phelippes’ note indicating that the pope’s brief was not available on 3 November, it seems most likely that Cecil’s part in the queen’s proclamation was based in significant measure on the intelligence Phelippes passed to him, and that the proclamation was issued so promptly so as to not to appear a response to the brief, which by 5 November had still not arrived.¹⁶¹

Sterrell’s letter of 16 September, using not the Rivers alias but the name Thomas Neevell, had foretold for Persons the coming endgame in England:

I hear of a proclamation penned, and ready for the press, against Jesuits and all sorts of priests, that whereas by their own books and writings, each against others, it appears manifestly that they are of turbulent spirits, and practisers against the State, abusing moreover her Majesty’s clemency by false and sinister reports, as well at home as in other countries, that she inclined to toleration and to mediate with the Pope for revoking of censures, and the like, with a large preamble to this effect, therefore all such are straightly charged, and commanded, by a certain day to depart the Realm, whereof if they fail, whosoever may be found, with their receivers and abettors, to be presently proceeded against with all severity; and for the discovery and apprehension of such, all Justices of Peace in their circuits are commanded to make diligent and often searches in places suspect, and to authorize other petty officers to do the like; and in this Mr Secretary is thought the chief agent.¹⁶²

159. Reprinted in *Tierney-Dodd*, 3:clxxxiv; Patrick McGrath, *Papists and Puritans under Elizabeth I* (New York, 1967), 297.

160. *CSP Dom* 1601–3, p. 261.

161. On 12 October n.s. the brief made on 5 October n.s. had been released to the parties in Rome. Late that night Persons finished his final relation of the whole sequence; SP 12/285/46ii, headed by Sterrell “The last relation about the business of the Appellant Priests in Rome, from the 14th of 7th [September] unto the 12th of October 1602. Wherein also the final determination of his Holiness is recounted.” The final sheet also begins Sterrell’s transcription of “The answer of T. C. to a letter of his friend in Perugia concerning the last Brief of his Holiness dated the 5th of October about the determination of the English affairs,” dated 14 October n.s.—a letter explaining the respects in which the papal brief is better than it looks from the point of view of Jesuits and supporters of the archpriest. Sterrell says on 17 November (Rivers to Perino, West. vii, no. 67, 303): “I know it [the brief] will be grievous to many; for my own part the letter to Perugia hath well satisfied me, and I conclude with others *sic ut quimus quando ut volumus non licet* [when we can’t get what we want, we make do with what we can]” (passage not in Foley, *Records*, 1). Persons’ relation of 12 October carries the account on from 14 September n.s. in some detail, and gives a rapid but not unfair summary of the brief. In the State Papers, Sterrell’s transcription of it is now bundled with the transmission to Cecil of 3 November, and perhaps it was indeed enclosed with that. But more probably, we think, it was sent on to Cecil later, conceivably even as late as 6 December, when Phelippes wrote to Cecil with an enclosure concerning the Appellants, touching also on their continuing attempt, as Phelippes reports, to launch yet another appeal, “one last attempt against the Arch-priest’s authority” and “to remove all Jesuits out of England”; SP 12/286/3.

162. Thomas Neevell to Perino, 16 September 1602 (West. vii, no. 60, 284).

That is the substance of the long proclamation issued six weeks later.¹⁶³ Sterrell’s summary, however, omits the distinction that the eventual document draws between, on the one hand, Jesuits and secular priests supporting them and, on the other, “certain of the secular priests dissenting from them in divers points,” who

howsoever they be at variance with the Jesuits and that faction, they concur notwithstanding and agree together in apparent disobedience and disloyalty against us, masking themselves under the visard of pretended conscience (a suggestion of all others most perilous), thereby to steal away the hearts especially of simple and common subjects from us their sovereign . . . and to unite and knit them to our mortal enemy the pope.

[And also to] insinuate . . . into the minds of all sorts of people . . . that we have some purpose to grant toleration of two religions within our realm, where God . . . doth not only know our innocence from such imagination, but how far it hath been from any about us once to offer to our ears the persuasion of such a course.

The last part of this indeed “large preamble” continues the attack on the Appellants:

And to the further aggravating of this their audacious boldness, we find that their said conceit of a toleration is accompanied with very great liberty and intolerable presumption in that they dare adventure to walk in the streets at noondays, to resort to prisons publicly, and execute their functions in contempt of our laws.

Priests of the Appellant party were given just a month longer than the Jesuits and their supporters to leave the realm. To all appearances, the queen, Cecil, and Bancroft were reeling in the line on which they had played the dissidents for eighteen months and more. But it was all in considerable part for show, specifically for calming the Puritans. On 15 December Sterrell reported to Persons that “nothing is yet done for the execution of the late Proclamation.”¹⁶⁴ Bancroft, moreover, was printing more Appellant books, and Bagshaw was in correspondence with Cecil. Come 9 March 1603, five weeks after the last of the proclamation’s four deadlines for departure from England of all priests, Sterrell reports to Persons: “Our Appellants are no changelings; they follow the Bishop of London as heretofore.”¹⁶⁵

163. *Tierney-Dodd*, 3:clxxxiv–clxxxviii.

164. Rivers to Perino, 15 December 1602 (West vii, no. 68, 306).

165. SP 12/287/51, Rivers to Perino, 9 March 1603 (intercepted, together with similar letters of the same date to “Giacomo Creleto” [Father William Baldwin, SJ, Brussels] (*ibid.*, no. 50); and “Giovanni Battista Galfredi” [Richard Verstegan, Antwerp] (no. 52). He adds: “Little respect is had of Bull or Brief, and yet they brag much thereof, and of four [priests of the Appellant party] constituted notaries [appointed to be assistants to the archpriest] among them. All care is taken by them to flatter the state, to

Perspectives

From the outset of the Appellant controversy, William Sterrell knew that the government of Elizabeth and Bancroft, Cecil, Popham, and Coke, would never extend religious toleration to the Roman religion.¹⁶⁶ The government judged that it needed a visible external enemy, to limit internal dissent and faction. The old Marian priests were almost all in their graves. Though generally courageous and dedicated, the seminarians were often young, disorganized, and ineffectual. The Jesuits were disciplined, and they were making progress with gentry and nobility; the government wanted them disabled or, better, eliminated. The government exploited and deceived a group of captive priests, hoping to unravel Rome's efforts to organize the Catholic priesthood in England more effectively. Sterrell's actions—some of them aimed at influencing events in Rome, others at influencing decisions at the highest level in England—were all designed to counter the government's manipulation of the dissidents. As close to the Council table as any non-councillor could be, meeting daily with the likes of Cecil, Popham, and Coke, Sterrell knew firsthand of the cynicism of the government officials who sponsored this remarkable excursion—indeed, intrusion—into Catholic internal affairs.

In the end, both Bancroft and Persons could mark successes in their protracted efforts. The government probably never regarded a papal withdrawal of the Jesuits as more than a long shot, a possible bonus for a course of policy whose aims were always to disrupt and demoralize the Catholics of England, to make public a full-blooded Catholic critique of aspirations, plans, and efforts by Jesuits and other Catholics to change the religious policy if not the whole government of the state, and to neutralize Catholics during the imminent succession. In those aims the government's success was thoroughgoing and durable. As James was arriving in London, Bishop Bancroft, the policy's day-to-day manager, recorded those three aims and described their accomplishment: most notably, the Infanta Isabella might even have become queen of England had it not been for the bitter internal feud of the Catholics that he had exploited. It was because the Catholics were divided that "there could be no opposition against [Elizabeth's] successor. . . . If . . . the Jesuits without this interruption [six years struggling with the dissident priests] had held on their course as they had began, out of all question the Infanta would have been grown exceeding strong in this realm by the time that her Majesty died."¹⁶⁷

which purpose they exhibited a Memorial of allegiance, the copy whereof I sent you. Three of the solicitors are still in the Clink, and others with the Bishop [Bancroft], all with leave to go abroad at pleasure, so [provided] they return at night. It is thought the most of that crew shall be banished, after their forty days [proposed in their own Memorial] be expired, it being certain that the state no farther favors them than they shall be able to continue and nourish faction and disunion—and so much I assure you a principal Councillor avers."

166. Rivers noted to Persons in a letter of 7 July 1602 (West. vii, no. 50): "When the Bishop [Bancroft] saw the new book of the *Manifestation* etc. he exulted beyond measure, saying this would stir up the contrary party to more invective writings, which was the main point that he most levelled [aimed] at; he termed both sides knaves, but the Appellants good instruments to serve the State."

167. A document endorsed in Bancroft's hand (West. vii, no. 87): "Reasons of the proceedings held with the secular priests," and also dated, perhaps in the same hand, "May 1603"; headed "The true rea-

On that great matter the antagonists, Bancroft and Persons, came to parallel judgments. In mid-1603, in his final known letter to his ally Rivers, Persons too attributed James's successful accession to the Appellants.¹⁶⁸ Speaking of the Appellants, he said, “their odious clamors here [in Rome] against the pretense of the said lady Infanta made our present king [James] so many friends in this court, as, partly by that and by the ordinary emulations against Spain, and by assurances given by Scottish men and some English also, that this man would be Cath[olic] or at least give full liberty of Conscience, all this [papal] court ran after him in such manner, as that all others that did not take the same course were thought either partial or passionate.”¹⁶⁹

In the face of the Appellants and their government backers, the desire and—so far as they could affect matters—the aims of Persons and his English associates, notably Garnet, Blackwell, and Sterrell, were that the Jesuit mission and the position of the archpriest be preserved, and that both the government and the Holy See be dissuaded from granting to dissident priests any status that would make them the leaders of an English Catholic community tolerated because purged of Jesuits, of firm religious fidelity to the Holy See, and of non-absolutist conceptions of state authority. These desiderata were all attained. What for the government had probably been no more than a secondary objective, or possible bonus side effect, had been for Persons and his associates in England a substantial threat, to be combated with vigor and all available resources. Persons could justifiably have judged that his many-sided campaign of persuasion, in Rome and London alike, had achieved all that could reasonably be hoped for; and Sterrell could equally have judged that his own feat, in enabling Persons to communicate directly with Cecil, had played its part.

LOUISIANA STATE UNIVERSITY, BATON ROUGE (P. M.)
UNIVERSITY OF OXFORD; UNIVERSITY OF NOTRE DAME (J. F.)

ABSTRACT

Historians have known of the letters of “Anthony Rivers,” recounting religious, political, and military affairs from the court in London in 1601–3, and of certain dispatches from Rome forwarded to Robert Cecil by Thomas Phelippes, “the Decipherer,” in 1602. In this article, Patrick Martin and John Finnis show that the letters and dispatches were integral to a coordinated effort by William Sterrell, secretary to the Earl of Worcester and long-time double agent, and Father Robert Persons, prefect in Rome of the Jesuit mission to England, to frustrate the climactic third appeal to the pope by the disaffected secular priests known as the Appellants. Sterrell assisted Persons by authoring the “Rivers” letters, which kept Persons and others informed of the government's actions and policies, as well as by promptly forwarding to him for refutation the Appellants' publications as they appeared, and notably by forwarding to the queen and Cecil the dispatches from Rome—which we show were written by Persons himself. This coordinated effort had some success.

sons of Her Majesty's late proceedings with recusants, which made men dream of some intended toleration”; the rest believed to be in the hand of one of Bancroft's clerks.

168. Persons to Rivers, 6 July 1603; Catholic Record Society, no. 2, 213–18 (Stonyhurst MSS, Coll. P, fol. 444).

169. *Ibid.*, 214.

